

RELEASE IN FULL

## Ending child marriage in Sub-Saharan Africa

### A note for Mrs Hillary Clinton, Secretary of State of the United States of America

Prepared by the Graça Machel Trust and *Girls Not Brides*

Child marriage is a harmful practice that endangers girls' health, education, and rights. The United States can play a critical role in addressing efforts to end child marriage in Africa by supporting African governments and local organisations to better address child marriage in their countries and communities; and by integrating child marriage prevention and married adolescent specific programming into pre-existing development programs.

#### 1. What is child marriage?

- Child marriage refers to a marriage or union where at least one party is a child (that is, under 18 years, as defined by the Convention on the Rights of the Child). While boys can be subjected to child marriage, the impact and prevalence is significantly higher for girls.
- According to UNICEF's latest estimates, a third of women aged 20–24 years old in the developing world were married by the age of 18. It's estimated that 10 million girls a year are married before they reach 18 – that's 100 million in the coming decade.

#### 2. Why is child marriage a critical issue in Sub-Saharan Africa?

##### Child marriage is occurring on an enormous scale

- Sub-Saharan Africa has the second highest rate of child marriage (after South Asia) - 38% of women are married as children. Fourteen out of the 20 countries with the world's highest child marriage prevalence rates are in Sub-Saharan Africa.<sup>1</sup>

##### Child marriage is a clear violation of girls' fundamental rights

- Child marriage violates a number of human rights, including the rights to life, liberty, self-determination and health. The Universal Declaration of Human Rights stipulates that marriage should occur only "with the free and full consent of the intending spouses."
- Most African countries are party to a number of international treaties and conventions that explicitly prohibit child marriage.<sup>2</sup> Regional conventions such as the African Charter on the Rights and Welfare of the Child (2000) and the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa (2003, known as the Maputo Protocol), also clearly condemn child marriage. Yet few governments have taken effective measures to eliminate the practice.

##### Child marriage endangers the lives of girls and their children

- Girls under 15 are five times more likely to die in childbirth than women in their 20s. Girls aged 15-19 are twice as likely to die. Girls under 18 are also at much higher risk of pregnancy-related injuries such as fistula. The children of child brides are 60% more likely to die before their first birthday than the children of mothers who are over 19.

<sup>1</sup> Niger (prevalence rate: 75%), Chad (72%), Mali (71%), Guinea (63%), Central African Republic (61%), Mozambique (52%), Malawi (50%), Ethiopia (49%), Burkina Faso (48%), Sierra Leone (48%), Eritrea (47%), Uganda (46%), Somalia (45%), Zambia (42%). Source: UNICEF, *State of the World's Children 2012*.

<sup>2</sup> These include the Convention of the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriage.

- Child brides are at greater risk of contracting HIV and other sexually transmitted diseases than unmarried, sexually active girls of the same age, often because they are married to older men and lack the power or confidence to reject unsafe sexual practices.

#### Child marriage is an obstacle to the fight against poverty

- Child marriage is a barrier to girls' education: dropping out of school is a frequent corollary to being forced into marriage, and child brides' access to education after marriage is severely limited because of childbearing and domestic chores.
- The persistence of child marriage hinders the realisation of six of the eight Millennium Development Goals. Child marriage is a barrier to efforts aiming to eliminate extreme poverty, to achieve universal primary education, to promote gender equality, to reduce child mortality, to improve maternal health, and to combat HIV/AIDS.

### 3. What is being done?

#### Government initiatives

- In Africa, only 16 countries have set the legal minimum age of marriage for girls at 18 or above with no exceptions. Another 14 countries have set the age at 18 but with exceptions that allow girls to marry at a younger age (as low as 13 years old in Senegal) with parental and/or court consent, or under customary law. In 17 African countries, the law either allows girls to marry below age 18, or it does not set a legal minimum age of marriage for girls.<sup>3</sup>
- Most African governments have failed to act on their commitments to end child marriage. In most countries, implementation remains unsatisfactory due to poor political will or insufficient resources to enforce the law, including training police and judicial officers on relevant provisions.

#### Civil society efforts

- African civil society organisations' efforts to end child marriage include: working with affected communities to change underlying social norms that hamper gender equity; urging the government to enact new laws or enforce existing laws on age of marriage; promoting education and livelihood opportunities for girls as alternatives to child marriage; and breaking the taboos that surround child marriage by promoting open public debate at the community, national, regional and international levels.
- In Africa, many civil society organisations working on child marriage are members of *Girls Not Brides: The Global Partnership to End Child Marriage*. This Partnership was created by The Elders to bring organisations together to learn from each other's experiences, raise awareness of the harmful impact of child marriage, and mobilise policy, financial and other support to end child marriage. Since *Girls Not Brides* was launched in September 2011, more than 160 organisations have joined the Partnership from over 30 countries around the world. *Girls Not Brides* allows them. More information is available at [www.girlsnotbrides.org](http://www.girlsnotbrides.org).
- Mrs Graça Machel is committing to contribute to these efforts by mobilising key leaders in the region and globally on the issue of child marriage, and by allowing the Graça Machel Trust, to become a driver and mobiliser for a grassroots-led movement to end child marriage in Southern and Eastern Africa, as part of its work to promote child rights and girls' education in these areas.

<sup>3</sup> Equality Now, Child marriage Factsheet 2010

- The Graça Machel Trust and *Girls Not Brides* recently co-hosted an expert's consultation on child marriage in Africa. Experts highlighted the need to stimulate existing national and grassroots-level movements to end child marriage, to raise awareness of child marriage particularly at the regional and national level, and to design a common framework for action in Africa.

#### **4. The critical role of the United States in ending child marriage in Sub-Saharan Africa**

The United States can play an important role in ending child marriage and support already married adolescents in Sub-Saharan Africa, through actions such as:

- ***Working in partnership with other donors, national governments and local organisations*** on child marriage programmes, including by providing to provide increased technical and programmatic support to design, implement and evaluate new and existing programs.
- ***Increase efforts to work directly with girls and their communities*** to provide adolescents with the social, economic, health and human rights services and information they need to prevent child marriage and mitigate its harms.
- ***Integrate child marriage prevention and married adolescent specific programming*** into relevant pre-existing development programs, including maternal health, HIV, economic empowerment, and education (6 of 8 MDG goals).
- ***Ensure that girls are the direct beneficiaries*** of stand-alone and integrated programs, and that both married and unmarried adolescents are targeted for interventions.