



Research Report

United Nations Human Rights Council
Eliminating forced child marriage,
particularly in the sub-Saharan
region

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Introduction

Child marriage, referring to the marriage or union where at least one of the parties is under 18 years of age, is a to be taken seriously human rights violation. The consequences of child marriage impact the minors' health, educational opportunities, individuality and quality of life. Additionally, it can cause further issues such as unsafe abortions, sexual abuse, domestic violence, STDs, early childbirth, and underage pregnancy.

Despite a steady decline of this harmful practice over the past decade, it is still a major concern worldwide. Crises like conflict, climate shocks and the ongoing fallout from COVID-19 are threatening to reverse improvement towards eliminating forced child marriage.

Though the definition covers all children, it overwhelmingly regards young girls. One in five girls in the world is a victim of child marriage, with even worse statistics when focusing on places with humanitarian settings¹. Forced child marriage amongst girls can happen out of cultural beliefs and normalization, caused by ingrained gender inequality and lack of education. Other motivations for child marriage might include the need for financial support or the assumption that a child is better off married, which is no weird thought in a country with poverty and a culture in which gender inequality is entrenched. A family might depend on the marriage of a girl for income and insurance of basic needs or believes the marriage offers a better future. However, this affects young girls fiercely.

The human rights violation can be seen especially in the Sub-Saharan region of Africa, where people struggle with serious problems in relation to health, climate change, lack of education and poverty as a whole. Not all nations have strict laws on the prevention of child marriage, and even in the countries that do, it can happen and still happens unregistered.

The United Nations sustainable Development Goals include attempts to eliminate child marriage. Moreover, there has been an increased amount of attention to put an end to forced child marriage by the African Union member nations as well, as shown by their support to campaigns aiming to end child marriage E.G. Educating young people, spreading awareness and improving the welfare of African people and the 'African Common Position to End Child Marriage. Countless organizations and countries are working hard to fight against this human rights violation which has been banned by almost every UN-nation and has been deemed illegal by the UN and it has shown amazing progress. However, this is not enough yet. Even with a steady decrease, another obstacle makes it even harder to eliminate forced child marriage: population growth. According to UNICEF, with sustaining the rate of progress, 490 million girls would have avoided child marriage by 2050. Nevertheless, due to population growth, child marriage would still be the case for 700 million women over the world.

Forced child marriage is no excuse to ignore human rights and minors all over the world should be protected from this practice.

Definition of Key Terms

Child

In a lot of cases, a child is defined as a person under the age of majority. Since this can vary per country, the definition of a child by the UN Convention on the Rights of the Child is used when mentioning child marriage. This means that any person under the age of 18 is considered a child.

(Forced) Child Marriage (1)

The marriage or informal union between a child under the age of 18 and another child or adult. A child marriage is considered to be a form of forced marriage, given that one and/or both parties have not expressed full, free and informed consent. (definition by OHCHR)

Sub-Saharan Africa

All nations in Africa south of the Sahara. This includes 46 out of the 54 nations in Africa, with none located in Northern Africa, except for Sudan.

Humanitarian settings

A humanitarian setting is one in which an event (e.g. armed conflict, natural disaster, epidemic, famine) or series of events has resulted in a critical threat to the health, safety, security and well-being of a community or other large group of people.

Sexually Transmitted Infections (STIs)

A serious disease or infection as a result of unprotected sexual contact. STIs can also be transmitted through pregnancy, childbirth, breastfeeding and via infected blood.

Age of Consent

The age at which an individual can legally accept to have sex. This, however, is not a constant number and varies with the geographical region and is prescribed by the law of that place. Note well: The age of consent differs from the age of majority or criminal responsibility.

Physical Violence

Physical violence can be the use of physical force against oneself, another person, or a group. It can result in injury, death, psychological harm, or deprivation. Some examples include hitting, punching, kicking, choking, biting and slapping.

Unregistered Child Marriage

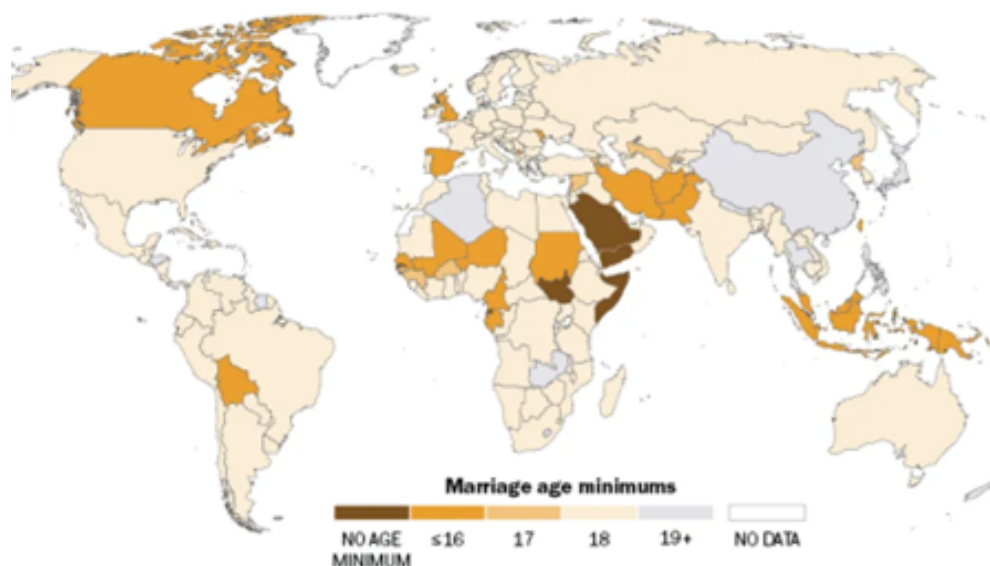
The event where a child under the age of 18 marries or enters into a union without official documentation.

General Overview

One of the main contributing factors to underage marriage is poverty. **Humanitarian settings** and **child marriage** seem to be related. Marrying of a daughter could be a needed financial rescue for some families, since there is one less mouth to feed. Moreover, it is believed that this is the best option for a good future for the girl.

The legal age of marriage in most nations over the world is 18. However, 'most' does not mean all countries.

Marriage age minimums for girls



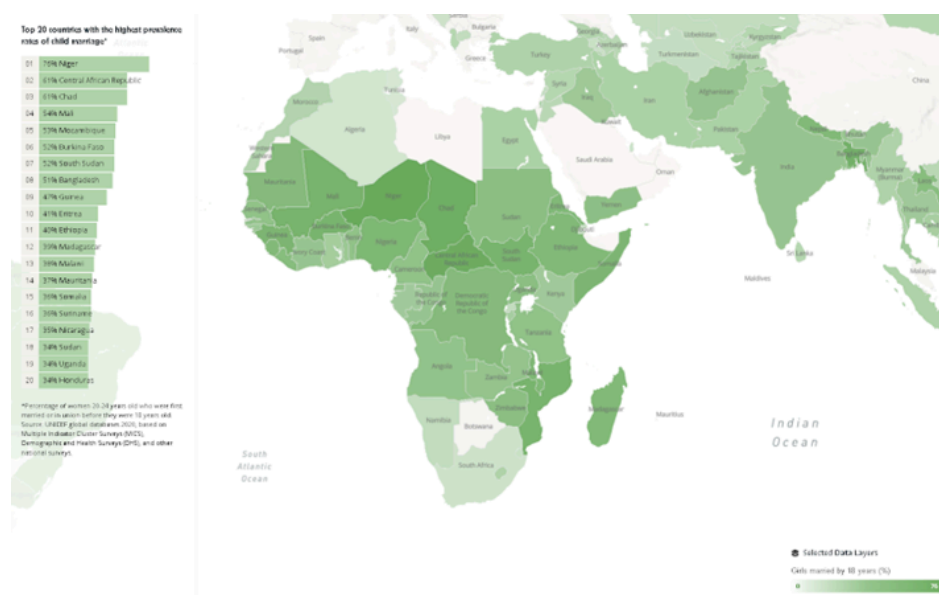
Note: Data show ages at which girls can marry without parental or judicial consent.
Source: Pew Research Center analysis of U.S. State Department country reports on human rights practices for 2015.
Supplemental data taken from the United Nations Population Fund. U.S. data taken from Cornell University Law School Legal Information Institute.

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The data above shows the marriage age minimum for girls, since forced child marriage affects girls the most. On top of that, some nations have a lower minimum age for marriage for girls than for boys. And even in some nations with 18 as the minimum age, exceptions can be made. For example, it could be lower with parental consent or just one of the parties has to be 18 years old. Not to mention, laws against underage marriage don't always prevent forced child marriage from happening **unregistered**.

Sub-Saharan Africa

Several possible explanations can be mentioned regarding more child marriages taking place in the **Sub-Saharan region of Africa** than the rest of the world.



To begin with, the average age of consent in Sub-Saharan nations is much lower than their Western or Eastern counterparts. This contrast carries the problem that standards are formed, leading to child marriage being labelled as part of culture. In many nations located in Sub-Saharan Africa, there is an underlying belief that it's normal for parents to control the espousal of young girls.

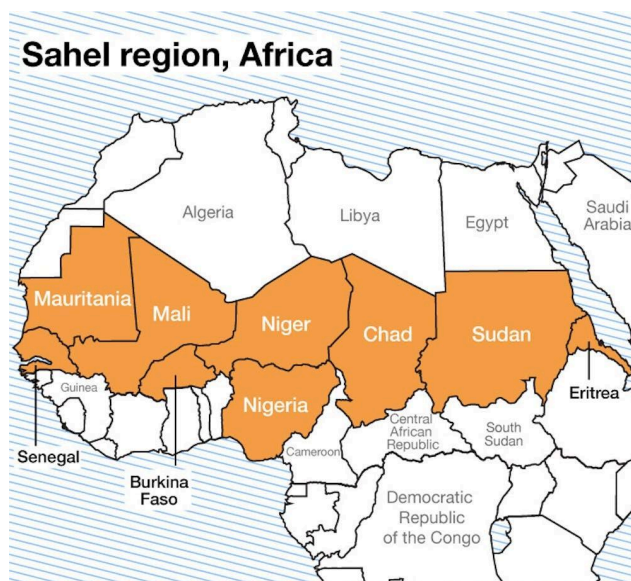
One of the biggest drivers for child marriage in Sub-Saharan Africa is part of the tradition. Like stated before, child marriage and gender inequality is an ingrained concept in some regions. It's seen as a tradition to espouse a daughter at a young age. This happens mainly with the belief that the girl is still pure and untouched, this is due to religion such as Christianity and the Islam. The gender roles in the cultures see girls as less than boys. A girl's view or own will sometimes is ignored, due to interpretations from holy scriptures such as the Bible and the Koran. Child marriage is seen as a tradition, a crucial role of culture that shouldn't be 'messed with'. There are even people defending child marriage, because of their

religion. Making laws against it would be seen as a threat to being able to freely follow their beliefs.

Furthermore, uneducated children are up to six times more likely to form an underage union. And in the Sub-Saharan part of Africa, education has been lacking in Africa, due to a growing population, low economical means and a shortage of qualified teachers. The education grade is tremendously low compared to the nations in the rest of the world, which eventually leads to the perpetuation of child marriages in Sub-Saharan Africa.

Poverty is a big factor in the problem of child marriages. In humanitarian settings, especially seen worsened in Sub-Saharan Africa by climate change, the number of child marriage tends to be higher. With worse living conditions, families sometimes rely on their children to get married for income. In other cases, families think they give their daughter a better chance at life by espousing them and have one less relative to worry about. In combination with the normalization of child marriage in some parts of Sub-Saharan Africa, this happens frequently.

Because of the impact the COVID-19 crisis had, making progress is an enormous challenge. Mainly, the economic impact plays a role. Conditions got even worse and families are put under even more financial pressure than before. On top of that, the schools closed, creating a challenge for the improvement of education.



According to research done by the Girls Not Brides Organization, the five nations in Sub-Saharan Africa with the most Child marriages are: Niger (76%), CAR (61%), Chad (61%), Mali (54%) and Mozambique (53%). This makes an interesting point, since three of them – including the nation in Sub-Saharan Africa with the highest percentage of child marriages – are located in the Sahel region. This belt in Africa deals with extreme draught and poverty. On top of that, political violence is prevalent. A lot of nations in the Sahel region are run by the military and living conditions are bad.

Impact

Child marriage carries a full package of risks and human rights violations with it. To start with, the opportunities of the child are extremely limited. Early marriage often results in less education or no education at all. It takes away the future of the child to already force them into a union impacting them for the rest of their lives. Families with children that are frequently exposed to gender discrimination and violence, they aren't better off married young. It influences the child on a psychological level, but it also comes with health risks. The espousal of a young girl can result in adolescent pregnancy, and often unwanted or unsafe pregnancies.

Human Rights

Every human being has basic rights. These are all written down in the Universal Declaration of Human Rights (UDHR). It states equality and protects every individual from all kinds of discrimination. It also includes the right to consent to marriage, saying that marriage shall only be entered with full and free consent of both parties.

The Convention on the Rights of the Child (CRC) and the African Charter on the Rights and Welfare of the Child (ACRWC) focus on the rights of children. For example, article 19 of the CRC describes that children have the right to be protected from all forms of violence and abuse.

With gender inequality being a major factor in child marriages and girls being the most affected, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) cannot go unnoticed. As the title suggests, its overall aim is to eliminate all forms of discrimination against women and as stated before, gender inequality seems to be ingrained in some cultures, normalizing child brides. It also advocates for the minimum age of marriage to be 18.

With the combination of all of these, it is clear that child marriage is a human rights violation. However, it still happens all over the world. On average, a concerning percentage of 41% of girls in Sub-Saharan Africa marry before turning 18 years old.

Guided by agreements stated above, attempts to eliminate child marriage have already been made. Child brides are a big subject in the Sustainable Development Goals (SDG's). More agreements aiming to end child marriages (among other things) are for example the African Union Campaign to End Child Marriage, the Sexual and Reproductive Health and Rights (SRHR) and the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages.

Furthermore, the Girls not Brides organization has a big impact as well. The organization helps people from all the world get more engaged and educated on the subject, while raising awareness of the problem.

Timeline of Key Events

10th of December 1948 The Universal Declaration of Human Rights (UDHR)

9th of December 1964 Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages

18th of December 1979 Convention on the Elimination of All Forms of Discrimination against Women

20th of November 1989 Convention on the Rights of the Child (CRC)

1st of July 1990 African Charter on the Rights and Welfare of the Child (ACRWC)

September 2011 Girls Not Brides: The Global Partnership to End Child Marriage

May 2014 African Union Campaign to End Child Marriage

2015: Sustainable Development Goals (SDG's)

August 2018: Sexual and Reproductive Health and Rights (SRHR)

June 28th 2024: ALMUN 2024 UNHRC :) (Best committee)

Stakeholders

The African Health Organization (AHO)

The AHO is an organization working to end child marriage in their communities by bringing perpetrators to justice, educating communities about the negative effects of child marriage as well as empowering girls to have a voice and say no.

Girls not Brides

Girls Not Brides is a global network of more than 1600 civil society organizations from over 100 countries who are committed to end child marriage and ensuring girls can reach their full potential. It was founded in September 2011 by The Elders, a group of independent global leaders who all strived for peace and human rights, especially focusing on the harmful practices that hold girls and women back to encourage and empower others to build a world free from child marriage. Girls Not Brides later became an independent charity in 2013 This organization is funded through government grants, foundations, and multilateral sources.

Pakistan

Child marriage is practised in some parts of Pakistan. According to Girls not Brides, 18.3% of girls are married before turning 18 years old. Poverty plays a significant role in this.

Because of religious reasons and culture, parties oppose setting a minimum age for marriage, putting children at risk of forced child marriage.

Niger

According to Girls not Brides, 76% of girls in Niger are victim to child marriage. This is due to Islamic beliefs. A girl's age is not requested when marrying, making child marriage possible. The lack of birth registrations in Niger make it hard to determine the age of a bride.

Chad

In Chad, 61% of girls are married before turning 18 years old. There's an idea among the people in Chad that girls are subordinate to boys. Girls are often married off as third or fourth wives. Religion and poverty also play a role.

Central African Republic

Similar to Chad and other Sub-Saharan countries, child marriage in this country is driven by religion and gender norms, among other factors.

Mali

Again, similar motivations for child marriage are present in Mali. Moreover, the COVID-19 pandemic has shown an increase on the already existing poverty.

Possible Solutions

- Expanding existing efforts and legislation (e.g., altering legal frameworks).
- Reducing the gap between the age of consent and the age of marriage.
- Increasing awareness about the dangers and illegality of child marriage.
- Enhancing education opportunities for children.
- Aiming for the minimum age of marriage to be 18 in all nations, with or without parental consent, for both parties.

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