

Forum:	Human Rights Commission
Issue:	The Question of Preventing Early or Forced Marriages
Student Officer:	Ms. Bezawit Zegeye
Position:	President of the Human Rights Commission

Introduction

Forced marriages are marriages, which take place without the consent of one or both of the people getting married.¹ Forced marriages are not to be confused with consensual arranged marriages, which are marriages where the husband and wife are chosen for each other by another party such as parents, friends or relatives.² Victims of forced marriages are often pressured to marry through intimidation tactics such as threats, violence and psychological pressure. Forced marriages occur for a variety of reasons - culture, religion, money and unplanned pregnancies are some of them. In most cases, the victims of forced marriages are underage girls who are forced to marry men much older than them.

Early marriages or child marriages, are defined as being marriages where one or both of the people getting married are under the age of 18.³ Early marriages happen mostly for the same reasons as forced marriages. One of the biggest reasons is culture, where early marriage can be seen as a rite of passage and a way to keep a child “pure” from experiencing sexual interaction before marriage. Girls are also seen as economic burdens in many poorer rural areas, so marrying off a girl can bring financial ease to a struggling family through a dowry or simply as one less mouth to feed.

Forced and early marriages overlap each other - most forced marriages are child marriages, and because children can generally not consent to marriage, early marriages are seen as forced marriages.

It is estimated that 15 million girls are married before the age of 18 each year around the world.⁴ The problem is most prevalent in developing countries, where it is estimated that 1 in 3

¹ <https://dictionary.cambridge.org/dictionary/english/forced-marriage>

² <https://www.merriam-webster.com/dictionary/arranged%20marriage>

³ <https://www.k4health.org/toolkits/youthpolicy/early-marriage-0>

⁴ <https://www.girlsnotbrides.org/about-child-marriage/>

girls are married before the age of 18. Forced and early marriages are a growing problem around the world, and the global number of women married before the age of 18 is said to reach 1.2 billion by 2050 if enough measures aren't taken to fight against the issue.⁵

Definition of Key Terms

Forced marriage

A marriage where one or two of the people getting married have not consented to the marriage.

Early marriage

A marriage where one or both of the people getting married are under the age of 18.

Bride price

Some property, amount of money or other form of wealth given to the family of the bride by the groom's family once they get married

Dowry

Some property, amount of money or other form of wealth given to the family of the groom by the bride's family once they get married

Background

Prevalence

Forced marriages happen across the world, but the "tradition" is especially prevalent in many communities in Africa and Asia.

In West and Central Africa, 4 in 10 women were married while under 18. In Mali, Burkina Faso and Nigeria, 41%-60% of women aged 20-24 were married before the age of 18. This number is more than 60% for women in Niger, Chad and Central African Republic.⁶ In Mauritania, 60% of married underage girls are married to men at least 10 years older than them. Nigeria is home to 23 million girls and women who were married underage, which is the largest number worldwide.⁷

⁵ <https://www.girlsnotbrides.org/where-does-it-happen/>

⁶ <https://data.unicef.org/wp-content/uploads/2017/10/Child-Marriage-WEB.pdf>

⁷ https://data.unicef.org/wp-content/uploads/2015/11/UNICEF-Child-Marriage-Brochure-High-Single_246.pdf

The region of South Asia has the highest prevalence of child marriage in the world with about 1 in 2 girls getting married before the age of 18. Bangladesh has the highest rate of child marriage with 52%, followed by India, Nepal and Afghanistan. In East Asia and the Pacific, 15% of the girls in those regions are married while underage. Rates in the region vary from 20% in Vanuatu and 11% in Vietnam.

Forced marriages in the western world

Although forced marriages are most prevalent in Sub-Saharan Africa and Asia, there are also many recorded cases of forced marriage in the western world. For example in the United Kingdom, where there were 1,220 cases of reported forced marriage in 2015.⁸ In Germany, around 3,500 girls and women seek help every year because of forced marriage or threats of it.⁹

Reasons

Forced marriage is practiced for a multitude of reasons. Reason include cultural and religious norms, as well as economic reasons.

Economic reasons

Some cultures in Africa and Asia have a practice called a 'dowry' or a 'bride price'. A bride price is some property, amount of money or other form of wealth given to the family of the bride by the groom's family once she gets married. A dowry is comparable to a bride price, but it is paid to the groom's family by the bride's family. This idea of wealth being exchanged when two people get married, fuels forced marriages. For example, a poor family may want to marry their daughter off as young as possible to ensure that the girl is 'pure' enough and her bride price is high.¹⁰ Sometimes forced marriages happen through a direct exchange, where a man marries a girl for a certain amount of money, which he gives to the girl's family. In poor families, parents make sure the girl marries a wealthy man who can provide for her, as well as give them a good amount of money to ease their financial situation.¹¹

⁸ <https://www.theguardian.com/society/2016/mar/08/number-of-forced-marriages-in-uk-continues-to-fall>

⁹ <http://www.freetheforced.org/index.php?lang=en&nav=1>

¹⁰ http://www.bbc.co.uk/ethics/slavery/modern/modern_1.shtml#section_2

¹¹ <http://justice.gc.ca/eng/rp-pr/cj-jp/fv-vf/fm-mf/p2.html>

Tradition of bride kidnapping

In some parts of the world, it is a custom that a man kidnaps a girl he wishes to marry. This custom is common for example in rural, southern Ethiopia, where men who don't have the money to pay for a bride price kidnap and rape a girl repeatedly until she becomes pregnant. The aim is to then get the family of the girl to permit him to marry her.¹²

Solving disputes through forced marriage

For example in Pakistan there is a custom called 'vani', where a young girl is forced into marriage as a way of solving disputes and feuds between different clans and tribes. The girl can be spared, if her clan agrees to pay money for her freedom.¹³

Controlling women's sexuality

Forced marriages are also a way to control a woman's sexuality. Parents often believe that if they marry a girl off when she is young, they can protect her from unwanted romantic relationships and sexual "risks" that come with it. Many cultures also believe that a virginity of a woman is indication of her worth and the honor of the family, so parents try to reduce the risk of a girl losing her virginity before marriage, by marrying her off as young as possible.¹⁴

Immigration fraud

One notable reason for forced marriages especially in the west, is trying to provide a citizenship through marriage to the person living overseas, so they can migrate to the country.¹⁵

The impact of forced marriage

As a newlywed, a young girl is expected to take care of her home and her family. For this reason, girls' formal education ends when she gets married, or during the preparations for the marriage. Returning to school is difficult, as it is challenging to manage home life as a wife, as

¹² https://www.unicef.org/ethiopia/Evidence_Review.pdf

¹³ <http://www.newspakistan.pk/2011/10/26/vani-pain-of-child-marriage-in-our-society/>

¹⁴ <http://justice.gc.ca/eng/rp-pr/cj-jp/fv-vf/fm-mf/p2.html>

¹⁵ <http://america.aljazeera.com/articles/2014/1/23/family-saga-revealsforcedmarriageimmigrationfraudandmurder.html>

well as education at the same time. There also often exists a stigma around pregnancy, and many schools ban pregnant girls and young mothers from returning to school.¹⁶

Early marriages also have an impact on a girl's health. As a young girl's body is still developing, she is not physically or emotionally ready to have sex or give birth to a child. Both of these activities are harmful to a girl's health. Especially childbirth is a big risk, which can lead to death in some cases. Child brides are also at a higher risk of contracting HIV.¹⁷ Isolation, depression and suicidal thoughts are common among victims of forced marriage.

In addition to harming the education and health of girls, early marriage traps them into a cycle of poverty and violence. A child bride can often not finish her education, which leads to her being less able to earn an adequate income. Child marriages also expose girls to physical, emotional and sexual violence.

Key member states and NGOs

Girls Not Brides

A global partnership of over 800 organisations, such as the United Nations Foundation, from more than 95 countries across the world. It's goal is to bring attention to child marriage and call for laws, policies and programmes that will not only fight against child marriage but also improve the lives of millions of girls.¹⁸

UNICEF

The United Nations Children's Fund is an international organization which works in 190 countries and regions to promote children's rights and well being around the world.¹⁹ UNICEF is committed to ending child marriage. On 11 October 2012, UNICEF took part in organizing the International Day of the Girl Child, which had child marriage as its theme.²⁰

¹⁶ <https://www.girlsnotbrides.org/themes/education/>

¹⁷ <https://www.girlsnotbrides.org/themes/health/>

¹⁸ <https://www.girlsnotbrides.org/about-girls-not-brides/>

¹⁹ https://www.unicef.org/about/who/index_introduction.html

²⁰ https://www.unicef.org/protection/57929_58008.html

Free The Forced

Free the Forced is an initiative of UNA (United Nations Associate) Germany against forced marriage around the world.²¹

UN WOMEN

United Nations Women is a United Nations organization created to advance gender equality and the empowerment of women across the world. UN Women works with governments and civil society to design policies, laws and programmes to protect and ensure the rights of women everywhere.²²

Timeline of Events

June, 2010	South Asia Initiative to End Violence Against Children established
11 October, 2012	International Day of the Girl Child
2013	A National Action Plan to prevent child marriages drafted by the Ministry of Women and Child Development, yet to be finalised
29 May, 2014	African Union launches ‘Campaign to end child marriage in Africa’
22 July, 2014	Girl summit 2014
7 November, 2014	Kathmandu Call for Action to End Child Marriage in South Asia
16 June, 2015	Day of the African Child, child marriage as a theme
30 August, 2016	UNFPA-UNICEF Global Programme to Accelerate Action to End Child Marriage
27 February 2017	Child Marriage Restraint Act 2017 passed in Bangladesh
19 April, 2017	“National Action Plan To Eliminate Early and Child Marriage” launched in Afghanistan by the Ministry of Women’s affairs and the Ministry of Information and Culture
5 October, 2017	Economic Community of West African States (ECOWAS) adopts Strategic Framework for Strengthening National Child Protection Systems in Niger
23-25 October, 2017	‘High-Level meeting on Ending Child Marriage’ held in Senegal

²¹ <http://www.freetheforced.org/>

²² <http://www.unwomen.org/en/about-us/about-un-women>

UN Involvement, Relevant Resolutions, Treaties and Events

- Universal Declaration of Human Rights²³, 10 December 1948
Document adopted by UNGA in its third session, which affirms human rights such as right to life and prohibition of slavery.
- Supplementary convention on the abolition of slavery²⁴, 7 September 1956
A treaty which secures the abolition of slavery and slave trade, as well as forced labour, child labour and child marriage
- Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages²⁵, 9 December 1964 **(1763 A (XVII))**
Treaty which agrees upon standards of marriage such as consent, minimum age by law and ensures the registration of marriages
- Convention on the elimination of all forms of Discrimination against Women²⁶, 18 December 1979
International bill of rights for women which defines what discrimination against women is, and sets up a scheme to end such discrimination
- Convention on the rights of the child²⁷, 20 November 1989 **(44/25)**
A human rights treaty, which defines rights of children (cultural, political, social etc.).
- International Day of the Girl Child²⁸, 11 October 2012
An annual event which addresses challenges girls face around the world and supports more opportunities for girls worldwide. It was started in 2012, with its theme being ending child marriage.
- Strengthening efforts to prevent and eliminate child, early and forced marriage: challenges, achievements, best practices and implementation gaps²⁹, 25 September 2013 **(A/HRC/24/L.34/Rev.1)**
During its 24th session, the Human Rights Council adopted this resolution on efforts to end child marriage with a particular focus on challenges, achievements, best practices and implementation gaps

²³ <http://www.un.org/en/universal-declaration-human-rights/>

²⁴ https://treaties.un.org/pages/ViewDetailsIII.aspx?src=TREATY&mtdsg_no=XVIII-4&chapter=18&Temp=mtdsg3&clang=en

²⁵ <http://www.ohchr.org/EN/ProfessionalInterest/Pages/MinimumAgeForMarriage.aspx>

²⁶ <http://www.ohchr.org/Documents/ProfessionalInterest/cedaw.pdf>

²⁷ <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>

²⁸ <http://www.unwomen.org/en/news/in-focus/girl-child/2012>

²⁹ <https://documents-dds-ny.un.org/doc/UNDOC/LTD/G13/175/05/PDF/G1317505.pdf?OpenElement>

- Resolution on Child, early and forced marriage³⁰, 19 December 2016 (71/175)
The UN's second resolution on child ,early and forced marriages, which i.a. recognizes that gender inequality is the root cause of child, early and forced marriages. It builds on the first resolution on child, early and forced marriage which was adopted in 18 December 2014.

Possible Solutions

Girls are more vulnerable to underage marriage in times of humanitarian crises, as parents see child marriage as a way to relieve economic difficulties as well as a way to protect girls from violence during crises. Responses to humanitarian crises have to become more efficient, and there should be more attention brought to preventing child marriages in the response to these crises. Families should receive more support during conflicts and crises, to decrease the risk of parents forcing their daughters to marry.

Girls with no education are three times more likely to marry before the age of 18 compared to girls with a secondary or higher education.³¹ By highlighting the importance of education and offering access to quality education in areas where child marriage rates are high, girls can get an education and become more able to earn an adequate living. This decreases the risk of forced marriage as a way to ease economic burdens.

Poverty is one of the main reasons for child marriage. By focusing on eradicating poverty, building infrastructure and economic growth, child marriage can be decreased.

Early and forced marriage rates are high in areas where gender equality is weak. Ensuring that women and girls have equal rights and opportunities in society gives them the possibility to build a life for themselves and become independent. Girls and women should be given equal opportunities in education, work life and leading their own lives.

Governments should also emphasize that child marriage is not acceptable in any way, shape or form by passing and implementing laws and policies against it. The legal age to marry should be raised to 18 in every country across the world, and action should be taken to ensure that it is implemented. One action to prevent child marriages is for example paying more attention to registering marriages where it can be proven that the girl is 18 or

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http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/71/175&referer=http://www.un.org/en/ga/71/resolutions.shtml&Lang=E

³¹ <https://www.girlsnotbrides.org/themes/education/>

over. This makes sure that women are able to seek financial and legal compensation if the marriage ends.

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