



Child 'Marriage'

A Health, Rights, Human & Social Development

Tragedy



**Fact Sheet Produced
In Partnership with Urgent Action Fund - Africa**

FACT SHEET

Research demonstrates that this negative practice exists on a wider and larger scale than previously understood – and that there are an estimated 37.4 million African girl children forced into ‘marriage’ before the age of 18 years - robbing them of education, skills and human development; of an opportunity to contribute meaningfully to Africa’s development; and condemning them to essentially a life of dependence, domestic slavery, unmitigated violence, sexual abuse, high maternal death, birth related morbidity and mortality, and higher risk of HIV / AIDS.

For girls aged 15-19 worldwide, maternal deaths related to pregnancy and childbirth are a major cause of mortality.

Still births and death are 50% more likely for babies born to mothers younger than 20 yrs than for babies born to mothers aged 20-29. Children born to mothers of early age at first birth are significantly more likely to suffer from stunting, wasting or underweight conditions, and also increased incidence of low birth weight.

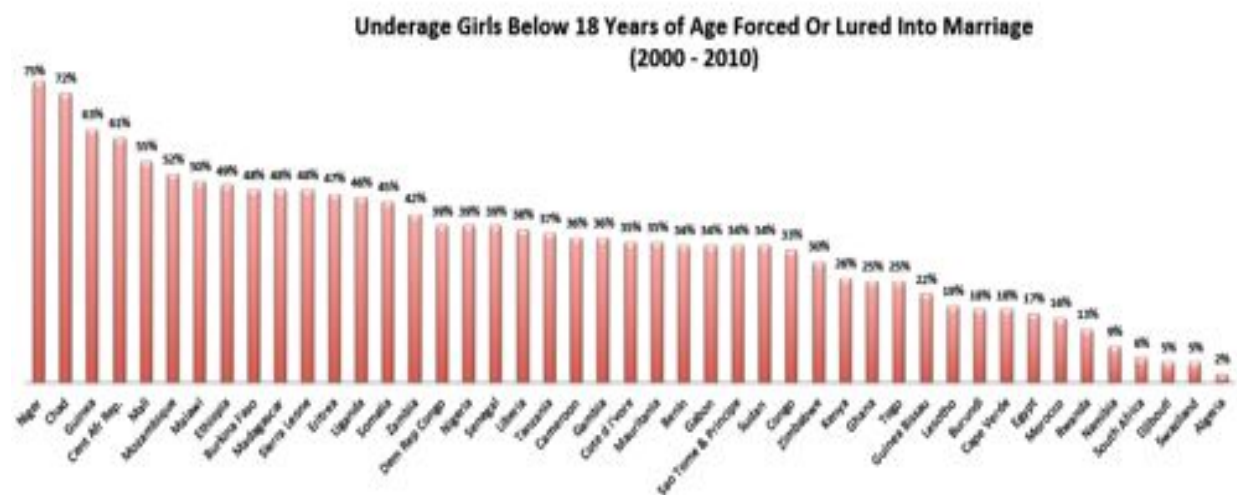
Across Africa, a great injustice is perpetrated against millions of girl children, and young African women in the name of early ‘marriage’, or child ‘marriage’ - whereas from both a human rights / women rights and development point of view, it should not even be possible to ‘marry’ a child. This injustice persists mainly because African governments are failing in their duty to fully protect the girl child. Additionally, child ‘marriage’ is rooted deeply in gender inequality and poverty.

The overall link between Forced ‘Marriage’ of Underage Girls, child mortality and maternal mortality is unquestionable. Evidence demonstrates that infants whose mothers die within first 6 weeks of their lives are more likely to die early as well. **In addition, for every girl, adolescent or young woman who dies in pregnancy or childbirth, 20 others suffer injury, infection, disease and disabilities, such as obstetric fistula, which can cause life-long suffering.** Sometimes these disabilities are so severe mothers are prevented from playing a major role in their children’s health, and development.

Underage girls forced into ‘marriage’ are also less able to negotiate sexual relationships or contraceptive use - and are therefore at greater risk for unintended and frequent pregnancies, and sexually transmitted infections, including HIV.

TRENDS, PROPORTION INTER LINKAGES, & NEGATIVE CONSEQUENCES

In the 30 countries where up to 75% of young girls under 18 years are forced into 'marriage', between a quarter and a half of these girls are forced into 'marriage' before or by 15 years of age, indicating a deeper-rooted trend. The worst 15 countries (with rates over 40% of under 18 marriage) - being Niger, Chad, Guinea, Central African Republic, Mali, Mozambique, Malawi, Ethiopia, Burkina Faso, Madagascar, Sierra Leone, Eritrea, Uganda, Somalia, and Zambia.



Data source: Afri-Dev.info 2013 Forced 'Marriage' of Underage Girls Scorecard

UNDER AGE 'MARRIAGE' & HIGH MATERNAL MORTALITY: *Significantly, the 30 countries where up to 75% of underage girls are forced into 'marriage' also include 26 of the 30 countries with the highest maternal mortality:* (Chad, Somalia, Central African Rep, Sierra Leone, Liberia, Sudan, Cameroon, Nigeria, Guinea, Niger, Zimbabwe, Congo, DRC, Mali, Mauritania, Mozambique, Malawi, Tanzania, Zambia, Cote 'd Ivoire, Senegal, Gambia, Benin, Ethiopia, Uganda and Burkina Faso).

UNDER AGE 'MARRIAGE' & CHILD MORTALITY: *The 30 countries where up to 75% of under age girls are forced into 'marriage' also include 24 of the 30 countries with the highest child mortality:* (Somalia, Mali, Burkina Faso, Sierra Leone, Chad, DRC, Central African Rep, Niger, Nigeria, Cameroon, Mozambique, Guinea, Cote 'd Ivoire, Benin, Mauritania, Zambia, Ethiopia,

Liberia, Uganda, Congo, Malawi, Zimbabwe and Tanzania).

UNDER AGE 'MARRIAGE' & HIGH ADOLESCENT FERTILITY: *The 30 countries where up to 75% of underage girls are forced into 'marriage' also include 26 of the 30 countries with the highest adolescent fertility* (Niger, Chad, Mali, Mozambique, Liberia, Malawi, Uganda, Guinea, Zambia, Madagascar, Gabon, Sierra Leone, Cameroon, Dem Rep Congo, Cent. African Rep, Congo, Burkina Faso, Nigeria, Somalia, Tanzania, Benin, Cote d Ivoire, Ethiopia, Gambia, Zimbabwe, Senegal)

UNDER AGE 'MARRIAGE' & HIV: *In all the 30 countries where up to 75% of under age girls are forced into 'marriage' (except 2) – women aged 15 years and over constitute greater majority of those living with HIV i.e. in these countries women constitute between 55% & 74% of all 'adults' living with HIV.*

BY DEMOGRAPHY

IN WEST & CENTRAL AFRICA: In the 30 countries where up to 75% of young girls under 18 years were forced into 'marriage' 11 of these countries are from the 15 member ECOWAS sub region being – Niger, Guinea, Mali, Burkina Faso, Sierra Leone, Nigeria, Senegal, Liberia, Gambia, Cote d'Ivoire, & Benin – Along with 6 Central African Countries - Chad, Central African Republic, Cameroon, Gabon, Congo, Sao Tome - (Other ECOWAS countries Ghana, Guinea Bissau, Cape Verde and Togo are at 18% to 25%) – *This makes West & Central Africa the sub regions with the highest collective concentration of countries where forced 'marriage' of under age girls is practiced.*

IN EAST & HORN OF AFRICA: Ethiopia, Eritrea, Somalia, Uganda, and Tanzania

are amongst the 30 countries where over 30% of underage girls are forced into 'marriage' (with Rwanda, Burundi & Kenya at between 13% & 26%).

IN SADC COUNTRIES: Mozambique, Malawi, Zambia, DRC, Tanzania (which is in both EAC and SADC) and Zimbabwe are amongst the 30 countries where over 30% of underage girls are forced into 'marriage'.

BY ABSOLUTE NUMBERS: *The 10 countries in which an estimated over one million women each were forced into 'marriage' before age of 18 are:* Nigeria, an estimated 6.8 million; Ethiopia 5 million; DRC, 3 million; Tanzanian 1.8 million; Uganda 1.8 million; Mozambique, 1.4 million; Niger, 1.3 million; Egypt 1.3 million; Madagascar 1.1 Million; Kenya 1.1 million.

THE VIOLATION OF RIGHTS

Forced 'marriage' of an underage child (mostly girl children) is a violation of article 16(2) of the Universal declaration of human rights, which states that *"marriage shall be entered into only with the free and full consent of the intending spouses."*

The African Charter on the Rights and Welfare of the Child, and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa – are both clear on the illegality of forced 'marriage' of under age children.

AFRICAN GOVERNMENTS ARE OBLIGED TO UPHOLD

Article 21 (2)



African Charter on the Rights and Welfare of the Child

• *"Child marriage and the betrothal of girls and boys shall be prohibited-and effective action, including legislation, shall be taken to specify the minimum age of marriage to be 18years"*

Article 6



Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa

- *"No marriage shall take place without the free and full consent of both parties"*
- *"The minimum age of marriage for women shall be 18 years"*

DESPITE THE ABOVE, THE ACTUAL SITUATION WITH REGARD TO CHILD 'MARRIAGE' CONTRADICTS BOTH CHARTERS, AND DIFFERS FROM COUNTRY TO COUNTRY. Child marriage remains a real threat to the human rights, health, development, and lives of children, especially girls in Africa.

In 19 countries where the minimum age of marriage is 18 years of age, between 2% (Algeria) and 61% (CAR) of girl children are forced into 'marriage'. In Nigeria, only 18 out of 36 states have laws recognizing 18 years as the minimum age.

IN SEVERAL COUNTRIES A MINIMUM AGE OF MARRIAGE EITHER DOES NOT EXIST, OR IS SET AT BELOW AGE OF 18 PERMITTING VIOLATIONS OF EVEN YOUNGER GIRLS: E.g. **Gambia**, **Equatorial Guinea** and **Lesotho** (no minimum age); **Sierra Leone** (none under customary law); **Burkina Faso** (17 but 15 with court waiver); **Cameroon** (15); **Chad** (13); **Democratic Republic of Congo** (15); **Gabon** (15); **Guinea** (17); **Guinea-Bissau** (17); **Mali** (15); **Niger** (15); **Sudan** (16); **Tanzania** (15, or 14 with court order, 12 under customary/religious law); **Togo** (17), **Tunisia** (17), **Zimbabwe** (16).

IN SEVERAL COUNTRIES, A VARIETY OF BIZARRE EXCEPTIONS EXIST. E.g. **Angola** (15 based on physical development); **Eritrea** (18 but 16 if pregnant); **Madagascar** (18 but 14 with parental consent and court order); **Malawi** (18 but 15 with consent); **Mauritius** (16 with parental consent); **Mozambique** (18 but 16 with consent), **Senegal** (18 but 16 with consent (13-16 with court order); **Somalia** (18 but 16 with consent); **South Africa** (21 but 15 with parental consent); **Swaziland** (21 but 16 with consent); **Tunisia** (20 but 17 with consent); **Uganda** (18 but 16 with consent); **Zambia** (21 but 16 with parental consent). **Sierra Leone** (21, but younger with consent under Christian marriage act)

KEY RECOMMENDATIONS

Given the millions of underage girls already suffering the devastating effects of forced 'marriage', and the fact that as Africa's population doubles from currently roughly 1 billion to about 2 billion by 2050, this trend will only increase. There is therefore an urgent need for;

- **Africa wide abolition of exploitation and abuse of girl children through 'marriage'.** This is clearly now a matter for unambiguous intervention by African Heads of State. Africa's overall health, human and social development will continue to be stunted for as long as governments do not act decisively to reduce and end institutional, social, and physical Violence Against Girls and Women.
- **Constitutional, legislative and law enforcement protection are crucial** - but will only be effective through national and community massive public education campaigns led by a specific and unambiguous African Union declaration abolishing forced 'marriage' of under age girls. This should include public education on gender equality, introduction of gender equality into all school curriculum from primary level, and action by community leaders.
- **Alongside this, targeted improved investment in the education and skills development of girls** (including forced 'marriage victims); and improved reproductive and sexual health services is crucial for overall health, human and social development.

Sources

- I. 2013 Africa Scorecard/Factsheet on Multifaceted Violence Against Young Girls & Women by Afri-Dev. Info (Africa Health, Human & Social Development Information Service), and Africa Coalition on Maternal, Newborn and Child Health.
- II. A Promise Renewed - Progress Report, September 2012, UNICEF.
- III. African Charter on Welfare and Rights of the Child.
- IV. Equality Now on Underage Marriage 2010
- V. Inter Agency Group for Child Mortality Estimates.
- VI. Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa.
- VII. Trends in Maternal Mortality WHO, UNICEF, UNFPA, World Bank 2010;
- VIII. UNAIDS, 2012, 2013 AIDS Epidemic Update. And latest available comparable information from - UNAIDS Database;
- IX. UNFPA 2012, Marrying too young - End child marriage;
- X. UNICEF State of the Worlds Children Report 2012/2013
- XI. WHO World Health Statistics 2010, 2011, 2012, 2013

Factsheet Research, Analysis, & Design By Africa Health, Human & Social Development Information Service (Afri-Dev. Info); Africa Coalition On Maternal Newborn & Child Health; & Pan African Campaign To End Forced 'Marriage' Of Under Age Children – In Partnership with Africa Health, Human & Social Development (Afri-Dev) Parliamentary Support Network; & Urgent Action Fund - Africa - © 2014. Kindly Acknowledge / Cite As Used.

To find out more about publications please contact email: [publications\[at\]afri-dev.info](mailto:publications[at]afri-dev.info)
For partnerships, support or general information please contact email : [contact us\[at\]afri-dev.info](mailto:contact us[at]afri-dev.info),
Africa Office: 14 Akintan St. Ogba, Lagos, Nigeria +23417601902,
Intl. Office: 175 Grays Inn Rd, London WC1X 8UE, UK

Pan-African Campaign Against Forced 'Marriage' of Under Age Children is Coordinated by

