

Ending Child Marriage The Way Forward

A policy brief

Child marriage is a violation of their rights guaranteed under the Constitution of Bangladesh and the Convention on the Rights of the Child (CRC). There are over 60 million children in Bangladesh of which 30 million are girls, who are affected by child marriage, stand to be robbed of their childhood and deprived of education and good health. If allowed to continue, Bangladesh stands to lose remarkable girls, young future leaders from contributing in making its vision of a middle income country and beyond, a reality.

With the fourth highest prevalence rate in the world, and highest in Asia, Bangladesh must prioritize efforts to end child marriage to make any meaningful progress towards the SDGs. The SDG recognized children and young people as 'critical agents of change' and 'torchbearers'. If we are to end child marriage, need to ensure schools are safe, free, and of good quality, ensure sexual and reproductive health services are there for all and end violence against all children.

The Development Partners¹ in Bangladesh have been working closely with the government and communities to promote and protect the rights of children and have conducted several research on child marriage. The purpose of these studies were to gather evidence on root causes, including perceptions of stakeholders on child marriage and to explore gaps in the Child Marriage Restraint Act (CMRA), 1929. Findings from these studies are supplemented with insights from a number of projects. The findings of these studies reveal not only cause and consequences of child marriage, but also identifies possible action to end Child Marriage in Bangladesh.

Key findings

- In Bangladesh, child marriage rate among the 15-49 years women is 62.8% before age 18, 23.8% before age 15². 7.5% of the girls aged 15-19 years are married before the age of 15.
- The national rate of child marriage is 64%³ among the 20-24 years women. According to Multiple Indicator Cluster Survey (MICS) 2012-13, the rate is 52.3%.

- The mean age of first marriage for females was a little over 16 years⁴.

Qualitative findings of research⁵ shows,

- Attitudes and practices associated with economic status of the girl's family, which in turn, is linked to the payment of dowry – the younger the girl, the less dowry her family has to pay.
- Lack of education and awareness among the children, community members and dutybearers is a significant driver of child marriage.
- Existing penalties related to child marriage are too low to be a deterrent.
- Social insecurity and vulnerability to sexual harassment can lead the family to marry off their daughters as early as possible. Domestic violence is strongly associated with child marriage as girls are often unable to fulfill adult responsibilities.

CAUSE

Social norms and attitudes - Child marriage of girls is much more prevalent and acceptable than child marriage of boys. Girls are treated as a financial burden and marriage can rid the family of the burden. Spousal age difference also portray male dominance in the household .

Economic inequality - Practices and attitudes concerning age and marriage are heavily influenced by the arrangement of economic relations, including income inequality, the financial dependency of women and girls, and the institution of dowry.

Lack of awareness - about Child Marriage Restraint Act (CMRA), confusion about minimum age of marriage, religious law, marriage registration among community, leaders, teachers and parents.

Limitation of laws - Despite child marriage being punishable under the law, existing laws cannot nullify a marriage solemnized under personal laws. Again, after a year of marriage, Courts have no power to take cognizance of this offence as there is a time limit for bringing a criminal prosecution.

¹Mainly Plan International Bangladesh

²Multiple Indicator Cluster Survey (MICS) report, 2014.

³The national estimate is 64%. ICDDR'B & Plan International Bangladesh (2013), *Child Marriage in Bangladesh: Findings from a National Survey*, Dhaka, Bangladesh

⁴Demographic Health Survey 2011 shows median age at first marriage is 15.8

⁵Plan International and Coram International (2015). *Getting the evidence: Asia Child Marriage Initiative*.

Lack of Education as a cause and consequence of child marriage⁶:

Child marriage interrupts girls' education, yet the relationship between child marriage and lack of education for girls runs deeper. The relationship has a 'trade-off', according to which a girl child can either be in education or be married. If a girl gets married, it is highly unlikely that she will be able to continue her schooling. Besides, dropout of a girl child occur due to her marriage and at the same time a child who drops out earlier, due to inequality, social norms and practices is eventually affected by child marriage.

CONSEQUENCES

- Child marriages tend not to be registered. Unregistered marriages affect the economic, legal and family rights of girls and women in case of abandonment, divorce and separation.
- Limited mobility, household responsibilities, pregnancy and raising children, and other social restrictions for married girls prevent them from taking advantage of education or work opportunities
- Child brides are seriously affected in their physical and mental health as well as social security.
- Child marriage leads to lower socio-economic status and disempowerment of married girls
- Child mother is not physically and mentally prepared to give birth and care for her child as well.

CALL FOR ACTION:

Strengthening law and institutional frameworks

- Review, amend and synchronize different policies related to child marriage (the CMRA, Marriage Registration, Domestic Violence and Dowry Prohibition Acts) to eliminate all existing legal inconsistencies, ensure justice and comply with constitutional and international obligations. Incorporation of regional best practices can be taken into consideration.
- Approve a new CMRA that keeps the age of marriage at 18 for girls and 21 for boys without any special conditions for marriage below 18 years. This new law must protect girls against sexual abuse, teenage pregnancies, trafficking and physical and emotional violence. Fast-track prosecutions of CMRA violations and remove restrictions on timeframe for lodging complaints.

- Ensure implementation of the National Plan of Action for Children (2005-2010) and enactment of a 'Children Ombudsman Act'
- Need to scale up programme efforts to end child marriage, by building alliances among different stakeholders and bringing them together under one platform.

Establish specific institution- Urgently establish a Directorate for Children within MOWCA – the child rights agenda cannot be implemented without dedicated resources.

Improving (access to and retention of) education- Create a strong incentive package for girls to continue and complete the secondary education; as education has the power to transform girls' lives and can contribute to wider benefits for the community.

Address needs of poor families and lack of opportunity (particularly for girls)- Create partnerships to determine relevant skills and develop further accredited non-formal education and training opportunities to support girls and women in accessing income earning and savings programmes.

Expand social movement against marriage- The government should lead, and use the public television and radio channels to support, a powerful social movement against child marriage and Religious leaders should be co-opted to support the movement.

Child and young people participation- Engage young people and children in discussions around child marriage and listen to them while formulating policies on 'their' behalf. Involve children and young people together with local government in raising awareness and combating child marriage.

Promoting community safety and ending impunity for violence against women and girls- Capacitate community based protection groups with information on relevant laws and para-legal training and link them with the government. Set up violence against women and children committees at the union level. Ensure access to psychosocial counselling and holistic case management for child marriage and violence survivor.

Increasing access to sexual and reproductive health rights and services- Support existing advocacy and programming efforts aimed at the introduction and development of comprehensive sex and relationships education in the school curriculum. Develop gender-sensitive youth friendly health clinics and advocate for the reform of laws that impose barriers on access to SRH services.

⁶Plan International and Coram International (2015). Getting the evidence: Asia Child Marriage Initiative.

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