

Assessing National Action on Protection from Child Marriage



Over 65 years ago, the Universal Declaration of Human Rights established that all people, regardless of sex, “are born free and equal in dignity and rights.” A series of treaties in the following decades—most notably the U.N. Convention on the Elimination of All Forms of Discrimination against Women—created more specific guarantees for the world’s women and girls. In 1995, 189 nations reaffirmed their commitments to advancing women’s and girls’ civil, social, political, and economic rights through the Beijing Declaration and Platform for Action, a landmark document that laid out a detailed strategy for addressing remaining gaps and barriers. To mark its 20th anniversary, this fact sheet series by the WORLD Policy Analysis Center examines countries’ progress toward enacting laws and policies to achieve gender equality.

Background

- Through the Beijing Declaration and Platform for Action, countries committed to ending child marriage by setting and enforcing a legal minimum age of marriage that protects girls.
- Child marriage is defined by the international community as marriage below the age of 18 and is widely recognized to have a disproportionate impact on girls: UNICEF estimates that nearly five times more girls are married before age 18 than boys. Approximately 720 million women alive today were married as children, including an estimated 250 million who were married before age 15.
- Early marriage jeopardizes girls’ health due to abuse, limited control over their own bodies and their sexual and reproductive health decisions, and early pregnancy and childbearing.
 - Women married before the age of 18 are three times more likely to have been beaten by their spouse than women married at age 21 or older.
 - Maternal mortality for girls between 15 and 19 years old is twice as high as for women giving birth in their 20s, and for girls under age 15 it is five times as high.
 - Of the more than 15 million girls aged 15-19 in low- and middle-income countries that give birth every year, 90% are married.
 - In the first year of life, babies born to teenagers are twice as likely to die as babies born to women in their twenties.
 - Young mothers who survive childbirth more frequently suffer from debilitating and stigmatizing health problems due to higher rates of obstructed labor and fistulae.
- Cultural, legal, and family-related barriers often lead to education interruption for married girls. Evidence from several countries in Africa indicates that early marriage accounts for 12-22% of school dropouts among girls.

Findings

Minimum Age for Girls

- Today, 88% of countries establish a legal minimum age of marriage for girls of at least 18.

Legal Loopholes Undermine Protections

- However, most child marriages occur with parental consent or involvement, and many countries permit marriage below 18 with parental permission. When parental consent exceptions are considered, girls can be married before age 18 in 52% of countries around the world.
- Exceptions for customary or religious law can further undermine civil law protections. Accounting for both these exceptions and the parental consent exception, 58% of countries legally allow girls to be married before age 18 and 31% legally allow marriage at age 15.

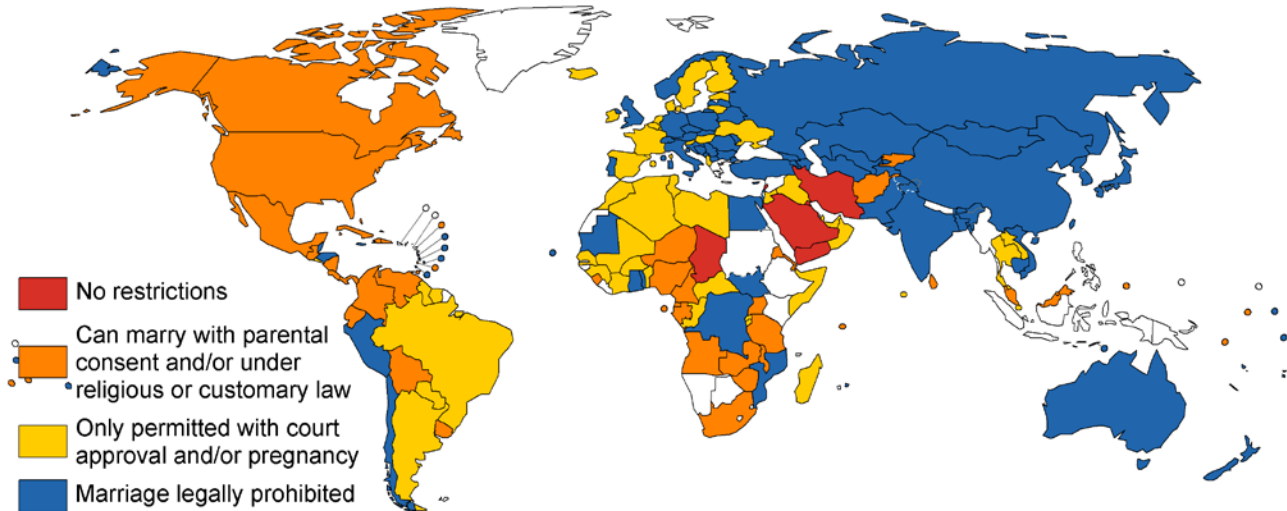
Unequal Protections for Girls and Boys

- In nearly a third of countries, there is a gender disparity in the minimum age of marriage with parental consent.
- In 27% of countries, legislation allows girls to be married two to four years earlier than boys with parental consent.

Progress is Possible

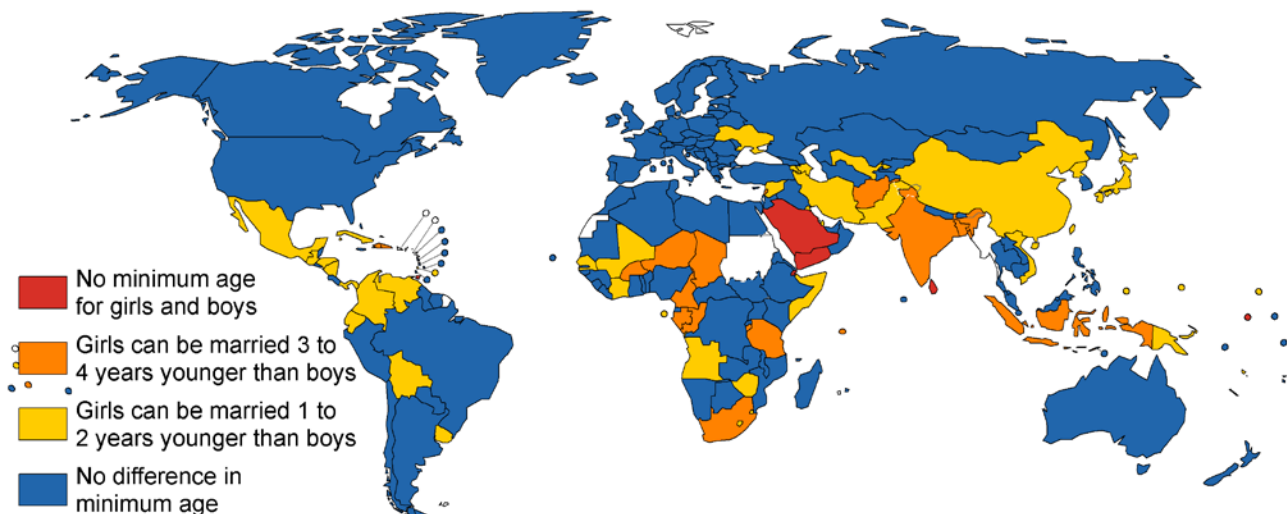
- As part of this initiative, McGill University’s Maternal and Child Health Equity (MACHEquity) program examined laws in 105 low- and middle-income countries (LMICs), and found that between 1995 and 2013, the percentage of countries that established a legal minimum age of marriage for girls of at least 18 years increased from 76% to 89%.
- When parental consent exceptions are considered, 44% of countries set a minimum age of marriage for girls of at least 18 in 2013, compared to only 20% in 1995.
- Gender disparities in marriage laws are also narrowing: the number of countries that set a lower age with parental consent for girls than boys fell from 66% in 1995 to 44% in 2013.

Map 1: Under what circumstances can 15-year-old girls be married?



Source: WORLD Policy Analysis Center, Child Marriage Database, June 2013

Map 2: Can girls be married younger than boys with parental consent?



Source: WORLD Policy Analysis Center, Child Marriage Database, June 2013

For more information, see WORLD and MACHEquity's policy brief, "Legal Protections against Child Marriage Around the World."

This work was made possible through the support of the Bill & Melinda Gates Foundation, in partnership with the Bill, Hillary & Chelsea Clinton Foundation's No Ceilings Initiative, as well as the William and Flora Hewlett Foundation. Unless otherwise specified, all data analyses in No Ceilings products were based on 197 countries and Beijing Platform signatories.

About WORLD: The WORLD Policy Analysis Center aims to improve the quantity and quality of globally comparative data on policies affecting human health, development, well-being, and equity. With this data, WORLD informs policy debates, facilitates comparative studies of policy progress, feasibility, and effectiveness, and advances efforts to hold decision-makers accountable.

© March 2015 WORLD Policy Analysis Center