

ENDING CHILD MARRIAGE IN AFRICA: A MULTI-DISCIPLINARY PERSPECTIVE

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Declaration

I declare that this mini-dissertation is my original work and that it has not been submitted for the award of any other degree at any other University or Institution

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Date: February 2016

This mini-dissertation has been submitted for examination purpose with my approval as University supervisor

Signed: -----

Supervisor

Dedication

I dedicate this work to the almighty God, to my family and friends.

Acknowledgment

I express sincere gratitude to my supervisor Professor Magnus Killander who as not only been critical to my work but also provided useful comments that helped to build the courses of my studies.

To all friends and colleagues students for their encouragement during my research, and I would like to say thank you.

Most importantly I thank God for giving me strength and grace and, also I acknowledge the support of my family 'The Nsingi', friends and in particular my sister Francine.

LIST OF ABBREVIATIONS

ACHPR: African Charter on Human and Peoples' Rights

ACRWC: African Charter on the Rights and Welfare of the Child

ACERWC: African Committee of Experts on the Rights and Welfare of the Child (ACERWC)

AU: African Union

CEDAW: Convention on the Elimination of All Form of Discrimination against Women

CHR: Centre for Human Rights

CHRUP: Centre for Human Rights University of Pretoria

CRC: Convention on the Rights of Children

HIV/AIDS: Human Immunodeficiency Virus/Acquire Immune Deficiency Syndrome

ICRW: International Centre for Research on Women

ICCPR: International Covenant on Civil and Political Rights

MDGs: Millennium Development Goals

NGO: Non-Governmental Organization

PACHPRRWA: Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol)

SADEC: Southern Africa Development Community

SDGs: Sustainable Development Goals

SRRWA: Special Rapporteur on the Rights of Women in Africa

UNICEF: United Nation Children Fund

UNDP: United Nations Development Programme

UNPF: United Nations Population Fund

UP: University of Pretoria

US: United States

TFRs: Total Fertility Rates



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\$: Dollar

=: Percentage

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Abstract

Background: This study was to address the phenomenon of child marriage in Africa and particular in sub-Saharan Africa. Sub-Saharan Africa was the target of the research, due to the high rate of the practice of child marriage in the world. This means that, 39 % of women aged 20-24 that were married before their 18 birthday live in the sub-Saharan Africa.

The issue of child marriage is the concern of both boys and girls in Africa but in most case, girls are the most affected in that practice. This practice is a serious violation of human rights of boys and especially girls in that; it barred the girls' rights to education, equality and development. Another chocking phenomenon is that, child marriage has a negative effect on the life of girls in that, it have harmful effect on the health of girls.

Method: The desktop research: collect of information on line on internet.

Results: The causes of child marriage in Africa are many, including: gender inequality against girls, poverty in families and insecurity and conflict. Strategies or interventions to overcome child marriage are as follows: the empowerment of girls through education; mobilize family and community to not prefer to married girls; help poor families to support their girls in school with conditional economic support.

Conclusion: The study recommends programmes (for example of the Berhane Hewan) must be developed in order to ensure that, law is implemented. The Southern African Development Community (SADC) developed model law to combat the phenomenon of child marriage.

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Chapter 1 Introduction

1.1 Background

Child marriage is one of the phenomena that disturb the wellbeing of young boys and girls in the world and especially in Africa. The situation of child marriage in Africa, particularly in sub-Saharan Africa must be addressed with the aim of ending child marriage in this area, because this phenomenon has negative effect on the lives of children.

Child marriage is identified as early marriage of a girl or a boy who are below the age of 18 years.¹ Child marriage in Africa has negative consequences in the life of boys and especially girls. The practice of early marriage or child marriage has a harmful effect because, studies found that girls who married before the age of 18 experience 'early sexual debut, give birth to more children and loose more children to neo natal and childhood diseases'.²

Studies found that 'women aged 20-24 worldwide who were married before the age of 18... 39% live in Sub-Sahara Africa.'³ This means that the problem of child marriage is a situation that is found mostly in the sub-Saharan Africa. In sub-Saharan Africa, more than 1 in 10 girls are married before the age of 15 and four in ten are married before the age of 18.⁴ In the Southern Africa Development Community Parliamentary Forum, the Secretary General of SADC announced in Lusaka in Zambia on 23 June 2015 that, in the world 15 million of girls are married as children every year and also, 720 million who are living today were married before 18 years and, one in three of the marriage was entered before 15 years.⁵

Studies found that⁶

the countries with the highest rates of child marriage are: Niger, 75 per cent; Chad and Central African Republic, 68 per cent; Guinea, 63 per cent; Mozambique, 56 per cent; Mali, 55 per cent; Burkina Faso and South Sudan, 52 per cent and Malawi, 50 per cent.

The Convention on Consent to Marriage, Minimum Age for Marriage and Registration to Marriage provides that, 'marriage should be entered only in a free and full consent of the intended spouses'⁷ and

¹ J-A Walker 'Early marriage in Africa –trends, harmful effect and interventions' (2012) 16 *African Journal of Reproductive Health* 231

² Walker (n1 above) 234

³ UNICEF: Child protection/Press Centre' [http://: www.unicef.org/media/media_45451.html](http://www.unicef.org/media/media_45451.html) (accessed 14, October 2015)

⁴ 'New research from population council shows child marriage can be delayed' [http://: www.popcouncil.org/news/news-research](http://www.popcouncil.org/news/news-research) (accessed 14, October 2015)

⁵ 'Southern African Litigation Centre in the News: SADC Child Marriage Model Law on Cards' (24 June 2015) [http://: www.southernafricalitigationcentre.org](http://www.southernafricalitigationcentre.org) (accessed 6 October 2015)

⁶ UNICEF: Child marriage 39,000 every day /Press Centre' [http://: www.unicef.org/media_68114.html](http://www.unicef.org/media_68114.html) (accessed 13, October 2015)

⁷ Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriage 1964, art 2

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that States Parties must take legislative action to specify a minimum age of marriage and no marriage can be legally celebrated by any person under this age, in the exception where the 'competent authority has granted a dispensation as to age for serious reasons and in the interest of the intended spouses.'⁸

The Convention on the Rights of the Child (CRC) provided that, governments have the obligation to protect children from violence, abuse and negligence⁹ and in a subsequent General Recommendation the CRC Committee has taken the step to be against the phenomenon of child marriage or marriage under the age of 18.¹⁰

The African Charter on the Rights and Welfare of the Child (ACRWC) that was drafted in 1990 (in force 1999), goes further than the instrument cited above and stipulates that, 'child marriage and the betrothal of a boy and girl must be prohibited, and effective action including legislation shall be taken to specify the minimum age of marriage to be 18 years.'¹¹ Thus, the African Children Charter complements the provisions of the CRC in order to 'address the problem that affecting African children and the prohibition of the practice of child marriage in Africa.'¹²

The African Union¹³

recently launched a campaign to encourage governments across the continent to combat child marriage and the United Nations Human Rights Council held the panel discussion on ending child, early and forced marriage in Geneva.

These are some important international and regional initiatives to address the phenomenon of child marriage.

Amongst 38 African countries that have set up the minimum age of marriage at 18 for both boys and girls, for example Algeria, Lesotho, Libya and Rwanda, the important factor now is about the monitoring of their respective laws, legislation and policies so that the families and communities that still practice child marriage could be questioned and be banned for doing so.¹⁴ As the minimum age of marriage for boys and girls at 18 is concerned, research has shown that, 28 African countries still have discriminatory minimum age of marriage for both boys and girls¹⁵ in that, for example countries like Chad, Eritrea, Sao Tome and Principe, Central African Republic, Cameroon and Democratic Republic of Congo are scoring lower in and characterised as 'least child-friendly' countries because, they do not protect children and

⁸ As above

⁹ Convention on the Right of Child 1989, art 19

¹⁰ 'Join general recommendations/general comment number 31 of the Committee on the Elimination of Discrimination against Women and number 18 of the Committee on the Rights of Child on harmful practices' <http://www.ork.lu/index.php/bs/prava-deteka/ko> (accessed 1, October 2015)

¹¹ African Charter on the Rights and Welfare of the Child 1999, art 21(2)

¹² Andrianosolo 'The girl child marriage in Madagascar: a critical analyze' dissertation, School of Law, Makerere University, Kampala 2013 23

¹³

¹⁴ How important is the minimum age of marriage legislation to end child marriage in Africa' <http://www.girlnotbrides.org/how-important-is-minimum-age-legislation-to-end-child-marriage-in-Africa> (accessed 20 August 2015)

¹⁵ As above

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boys from child marriage, in contrast of 'a child-friendly country that protect girls and boys from child marriage, characterised as 'most child –friendly' with the example of Mauritius, Lesotho, South Africa, Tunisia, Egypt and Rwanda.¹⁶

1.2 Problem statement

In sub-Saharan Africa, when girls are married before the age of 18, their opportunity for education and the prosperity for their future are limited and accordingly, they often experience violence from their partners and they are exposed to the 'risk for early and unwanted sexual contact, which can result in HIV and other sexually transmitted infections as well as unintended pregnancy.'¹⁷

According to the International Centre for Research on Women (ICRW), despite being outlawed and many initiatives to end child marriage, 'girls continue to be pulled out of the school and forced into marriage.'¹⁸The causes of child marriage are many including: economic (poverty) situation that lead the families to marry off their young girls; discrimination in gender role in patriarchal society whereby boys are likely to go to school and young girls are preferred to be married and; customs and traditions are significant causes of child marriage.¹⁹

For example, although Kenya and other counties in Africa are signatory of the African Children's Charter that prohibit the practice of child marriage in Africa, this phenomenon persist in sub-Sahara Africa, however, Kenyan laws on new Marriage Bill 'outlaws marriage below the age of 18' and it provides that 'no person shall get engaged or betrothal to a person under the age of 18 year.'²⁰

Possible solutions could be identified to end child marriage. Firstly, education could help to end the phenomenon of child marriage in sub-Saharan Africa, because education is one of the tools that could help to keep the young boys and girls out of the risk of early marriage and accordingly, the Convention on the Rights of Child (CRC) provides that, 'education should develop each child'²¹; secondly the mobilisation of families and communities with the objectives to change attitude and behaviour related to child marriage through media; thirdly to provide services such as access to health care for adolescent girls including economic assistances for girls and family²²and lastly, the establishment and implementation of laws and policies frameworks to end child marriage.²³

¹⁶ 'A third of African countries have discriminatory minimum age of marriage or allow child marriage' [http://: www.girlsnotbrides.org](http://www.girlsnotbrides.org) (accessed 18 December 2015)

¹⁷ How is important is the minimum age of marriage legislation to end child marriage in Africa' (n14 above)

¹⁸ 'Solutions to end child marriage- ICRW' [http://: www.icrw.org/CHILDMARRIAGE](http://www.icrw.org/CHILDMARRIAGE) (accessed 8 December 2015)

¹⁹ 'What causes early marriage?- Bell Bajao' [http://: www.bellbajao.org/what-causes-earlymarriage](http://www.bellbajao.org/what-causes-earlymarriage) (accessed 8 December 2015)

²⁰ 'Under – age marriage still rampant in Kenya despite being outlawed' [http://: www.plan-international.org](http://www.plan-international.org) (accessed 6 August 2015)

²¹ Convention on the Rights of the Child (CRC) 1989, article 29

²² Girls not brides: the global partnership to end child marriage' [http://: www.girlsnotbrides.org](http://www.girlsnotbrides.org) (accessed 18 August 2015)

²³ 'How can we end child marriage? Girls not brides' [http://: www.girlnotbribdes.org](http://www.girlnotbribdes.org) (accessed 18 August 2015)

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It is also provided that ‘children should be protected from any activities that could harm their development.’²⁴It is clear from these provisions that the boys and girls must be protected and, any practice against the wellbeing of child must be prohibited.

1.3 Objectives of the study

The objective of this study is to bring change to end the phenomenon of child marriage in Africa and especially in sub-Saharan Africa.

On the one hand, the study identifies the causes of child marriage in Africa and on the other hand, the research aims to apply strategies to overcome the phenomenon of child marriage in Africa, with the results that, girls at risk of child marriage benefit from education and economic assistance as alternatives to the phenomenon of child marriage and, to keep married girls out of any violence and to access divorce, encourage men and boys to take action to end child marriage.²⁵

1.4 Research questions

To address the phenomenon of child marriage or early marriage in Sub-Sahara Africa, the research questions are as follows:

1. What are the causes of child marriage in sub-Saharan Africa?
2. Which strategies can be applied with the objective of overcoming the phenomenon of child marriage in sub-Saharan Africa?

1.5 Significance of the study

Given the fact that child marriage is a phenomenon of global concern, and the issue is important in that, ‘girls who are married early are limited in their social interactions, as they drop out of school.’²⁶

After the identification of the causes of child marriage, such as gender inequality, poverty, insecurity and conflict, sub-Saharan Africa must set up strategies such as to empower girls through education, mobilisation of families and communities to change attitude related to child marriage, provide access to health care for adolescent girls and economic assistance to girls and families as alternative mechanism to end child marriage.

1.6 Literature review

In the recent publications, the research has found that, while there is international agreement and national laws, the phenomenon of the marriage of boys and girls under the age of 18 years still persist worldwide and affect millions of girls and one of the most important features of the literature is that, child marriage in sub-Saharan Africa is caused by poverty in that, ‘dowry or money the bride’s family

²⁴ CRC, article 36

²⁵ ‘Girls not brides: the global partnership to end child marriage’ (n 22 above)

²⁶ ‘Children of Chad Humanium – Together for children rights’ [http://: www.humaniun.org/en/chad](http://www.humaniun.org/en/chad) (accessed 22 July 2015)

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pays to the groom is a big factor in child marriage²⁷ and most people believe that to marry off their young daughter is a security for their girls against pregnancy, rape or sexual abuse.²⁸ The other element that leads the parents to marry off their young girls is because some people do not value girls in that, 'in a lot of places, people think girls are only valuable because they can have children.'²⁹

As poverty is the leading cause of child marriage, the possible solutions to delay child marriage is the conditional cash transfer programs to encourage school attendance, to provide girls and families conditional cash only when their children are attending school as 'minimum amount of time.'³⁰

Other strategies were identified by the International Centre for Research on Women (ICRW) with five evidences that were established to empower girls with information and skills; to provide economic support to girls and their families; educate parents and the community members; bring girls to access higher quality education and implement laws and policies to end child marriage.³¹

The practice of early marriage and early sexual activity is also harmful to the health of girls in that, it could lead to diseases such as cervical cancer.³² While the practice of child marriage is harmful to the health of young girls, it is also a serious violation of basic human rights of girls.³³ Literatures show that in many developing countries, girls are likely to die in childbirth and it is noted that this consequence is due to the fact that girls are physically immature because the 'pelvis and child canal are not fully developed.'³⁴ Accordingly, 'complication in labour is exacerbated where emergency obstetric services are scarce, as is the case in many societies where child marriage is prevalent.'³⁵

It is demonstrated that 'pregnancy for adolescent girls poses serious risk of developing obstetric fistulas, since their smaller pelvis make leaves its victims with urine or faecal incontinence that causes infection, pain and bad smell.'³⁶

Child marriage is a violation of human rights, and government must eradicate this practice because, study demonstrates that, 'parents of a child arrange a marriage with another child or adult'³⁷ and 'in most cases young girls get married off to significantly older men when they are still

²⁷ 'Care : Child marriage causes' [http://: www.care.org/child-marriage-causes](http://www.care.org/child-marriage-causes) (accessed 15, October 2015)

²⁸ As above

²⁹ As above

³⁰ 'The impact of financial incentives on school participation in Mexico' [http://: www.povertyactionlab.org/evaluation](http://www.povertyactionlab.org/evaluation) (accessed 7, November 2015)

³¹ 'Solutions to end child marriage summary of the evidences' [http://: www.icrw.org/publication/solutions](http://www.icrw.org/publication/solutions) (accessed 7, November 2015)

³² M N Nour 'Health consequences of child marriage in Africa' (2006) 12 *Brigham and Women's Hospital, Boston, Massachusetts, USA 1644*

³³ 'Force and child marriage-Stop Violence against Women' [http://: www.stopvaw.org>GenderViolenceWorldwide](http://www.stopvaw.org>GenderViolenceWorldwide) (accessed 15, October 2015)

³⁴ 'Q & A Child marriage and Violation of Girls' Human Rights' [http://: www.hrw.org/news/2013/06/14/q-childmarriage](http://www.hrw.org/news/2013/06/14/q-childmarriage) (accessed 15, October 2015)

³⁵ As above

³⁶ As above

³⁷ 'IHEU: Child marriage: A violation of human rights' [http://: www.iheu.org/child-marriage-violation-human-rights](http://www.iheu.org/child-marriage-violation-human-rights) (accessed 15, October 2015)

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children.³⁸ Accordingly, child marriage is a serious barrier to the education of young girls and this is related by the fact of leaving school prematurely and the consequence is associated with the negative phenomenon of child marriage.³⁹

Because a child is a person who is below the age of 18 years of age⁴⁰, the protection of girls at risk of early marriage will be addressed after the causes of the phenomenon of early marriage such as; gender inequality, poverty and conflict. Furthermore child marriage could contribute to the serious barrier for the social development of girls, family and the communities⁴¹, for example, it is noted that 'Ethiopia and Zambia has the higher rate of HIV infection than those sexually active unmarried girls.'⁴² In this instance, child marriage must be ended because it is a child abuse and thus, a serious violation of rights of girls especially in Sub-Saharan Africa.⁴³

With the resolution of the Pan-African Parliament on legislation on ending child marriage, study on laws on early and forced marriage in Africa was conducted by the Inter-Parliamentary union.⁴⁴ This means that, these interventions demonstrated that, there is a global need to end the phenomenon of child marriage.

In this research, the work will build on the issue pertaining to child marriage in sub-Saharan Africa in relation to the existing studies, with the objectives of ending child marriage or early marriage in Africa, through multidisciplinary perspectives on human rights.

For instance, the case of 'Berhane Hewan' is an example of programmes measures that was implemented in Ethiopia to delay child marriage.⁴⁵ These programmes have the objectives to bring the communities to conversation regarding child marriage and its danger; to support girls through education with school supplies or uniforms; providing conditional economic incentives to girls and families that keep girls to school, for example girls received food (Chicken or goat) if they remain unmarried up until the age of 18 and, it is also noted that, there is the possibility to combine all these strategies.⁴⁶

³⁸ As above

³⁹ C B Lloyd & B S Mensh 'marriage and childbirth as factors in dropping out from school: An analysis of the DHS data from sub-Saharan Africa, (2008) 62 *Populations Studies* 1

⁴⁰ 'A Simplified Version of the United Nations Convention on the Rights of the Child, 198 article 1

⁴¹ A Raj *et al* 'Prevalence of child marriage and its effect on fertility and fertility control outcome of young women in India: across sectional, observation studies' (2009) 373 *Background The lancet*

⁴² S Clark 'Early marriage and HIV risk in sub-Saharan Africa (2004) 35 *Studies in families planning* 149

⁴³ K Lalor 'Child sexual abuse in sub-Saharan Africa: a literature review' (2004) 28 *Child abuse & Neglect* 439

⁴⁴ As above

⁴⁵ 'BerhaneHewan: reducing child marriage in Ethiopia' [http://: www.globalgiving.org>Home>Findaproject>Ethiopia>Health](http://www.globalgiving.org/Home/Findaproject/Ethiopia/Health) (accessed 15, October 2015)

⁴⁶ 'Building an evidence base to delay marriage in sub-Saharan Africa' [http://: www.popcouncil.org/research](http://www.popcouncil.org/research) (accessed 7, November 2015)

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1.7 Methodology

In this research, the desktop research methodology is used. This consist to collect information already available and published online on the internet, on the issue concerning multidisciplinary perspectives on human rights to end child marriage in Africa and also information or documents published by the government regarding the practice of early marriage in Africa. Documents such as books, chapters in books, journal articles, instruments, recommendations, reports, dissertations that dealt with the issues of the ending child marriage in Africa will be consulted.

1.8 Overview of Chapters

Chapter one gives a background, a general introduction to the study and demonstrates the situation and consequences of child marriage in sub-Saharan Africa. It also shows how the practice of child marriage is harmful to the health of girls; stop girls' rights to education and thus, constitute a violation of human rights. Chapter two dealt with the causes of child marriage, such as gender inequality with the low value given to a girl; poverty and insecurity and chapter three address different frameworks of interventions to end child marriage and chapter four address conclusion and recommendations.

Chapter 2 Causes of child marriage in sub-Saharan Africa

2.1 Introduction

This chapter answer the first question of the study and, has the purpose to address the causes of the phenomenon of child marriage in sub-Saharan Africa. Studies found that child marriage is caused by gender inequality with the result that low value is accorded to girls; it is reinforced by poverty and; insecurity and conflict with consequence that, it undermining the development of young boys and especially young girls.⁴⁷ In the sections below, the causes of child marriage in Africa are addressed with reference to the examples of countries from where the practice of child marriage persists in sub-Saharan African.

2.2 Gender inequality

'Gender plays an important significant role in how children are treated within the families and communities.'⁴⁸ Gender is defined as 'a social construct referring to the roles, behaviours, activities and attributes that a given society considered appropriate to men and women'⁴⁹, including boys and girls. Gender equality relate to the 'equal value and equal treatment between men and women'⁵⁰, including boys and girls.

⁴⁷ 'Girls not brides: the global partnership to end child marriage' (n 22 above)

⁴⁸ 'Gender and child protection - United Nations Children Fund' [http://: www.unicef.org/esaro/7310](http://www.unicef.org/esaro/7310) (accessed 8 August 2015)

⁴⁹ *Gender equality at higher education institutions in Africa: a gender audit tool* Centre for Human Rights, Faculty of Law, University of Pretoria 2014

⁵⁰ As above

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It is noted that, 'many child maltreatment practices are shrouded in secrecy', however, available evidences reveals that certain practices of child marriage and sexual violence have a significant gender dimension, affecting girls more than boys, and impacting more severely on girls.⁵¹

Studies found that, 'child marriage is driven by social norms that accord girls little value' and accordingly, there is the need of legal and social change, to this situation of unfair discrimination against girls.⁵²The phenomenon of child marriage usually denies the girls' right to access to education, and as such, it limits girls' development.⁵³This is the example of unfair discrimination against girls.

With the element of low value accorded to girls, this phenomenon has the consequence in that, girls once in the union, 'are expected to prove their fertility to become mother while they are still children.'⁵⁴

According to the civil society 'Child Not Brides, 'change will happen to the lives of girls and their immediate surroundings when families and communities reject child marriage and embrace roles for girls beyond wedlock.'⁵⁵For a better change in the lives of boys and especially girls, parents and communities must be committed to end child marriage and promote the equality between boys and girls and men and women in the world and particularly in Africa.

In Malawi, the non-governmental organizations (NGO) are putting more effort to eradicate any practice that could harm girls and , to protect girls through families' awareness against discrimination of girls from boys or men, but to treat them as equal and give them equal value and also to prioritize the education of girls as an alternative to child marriage.⁵⁶

Dealing with the issue of discrimination against girls, studies show that,⁵⁷

when a boy is born in most developing countries, friend and relatives exclaim congratulations. A son means insurance. He will inherit his father's property and get a job to help support the family. When a girl is born, the reaction is very different. Some women weep when they find out their baby is girl because, to them, a daughter is just another expense. Her place is in the home, not in the world of men. A girl can't help but feel inferior when everything around her tells her that she is worth less than a boy. Her identity is forged as soon as her family and society limit her opportunities and declare her to be second rate. A combination of extreme poverty and deep biases against women creates remorseless cycle of discrimination that keeps girls in developing countries from living up to their full potential. It also leaves them vulnerable to severe physical and emotional abuse. Discrimination against girls and women in the developing world is a devastating reality. It results in millions of individual tragedies, which add up to lost potential for entire countries. Studies show there is a direct link between a country's attitude toward women and its progress socially and economically. The status of women is central to the health of a society. If one part suffers, so

⁵¹ Gender and child protection – United Nations Fund (n48 above)

⁵² 'As long as it exists, child marriage will stand in way of gender equality' [http://: www.theguardian.com>Wolld>Development>Girls Summit](http://www.theguardian.com>Wolld>Development>Girls Summit) (accessed 8 August 2015)

⁵³ As above

⁵⁴ As above

⁵⁵ As above

⁵⁶ D Mthawanji 'Malawi: child labour and child marriage perpetuate gender inequality' (2013) [http://: www.genderlinks.org.za>Home>GLNews>GLNews](http://www.genderlinks.org.za>Home>GLNews>GLNews)

⁵⁷ J Mullins 'Gender discrimination: Why is still so bad and what can you do about it?' [http://: www.childreninneed.com](http://www.childreninneed.com) (accessed 6 January 2016)

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does the whole. Tragically, female children are most defenceless against the trauma of gender discrimination. The following obstacles are stark examples of what girls' worldwide face. But the good news is that new generations of girls represent the most promising source of change for women and men in the developing world today. In developing countries, the birth of a girl cause great upheaval for poor families. When there is barely enough food to survive, any child puts a strain on a family's resources. But the monetary drain of a daughter feels even more severe, especially in region dowry is practiced. Dowry is good and money a bride's family pays to the husband's family. Originally intended to help with marriage expenses, dowry came to be seen as payment to the groom's women (girls). The developing world is full of poverty stricken families see their daughter as an economic predicament. That attitude has resulted in the widespread neglect of baby girls in Africa.

2.3 Poverty

2.3.1 The lack of money in a family

Every year more than 15 million girls marry before they reach the age of 18, these girls mostly comes from the poorest countries in the world, and the poorest in their communities, thus poverty or even extreme poverty is significant phenomenon that cause parents to marry off their daughters very young.⁵⁸

Many of the poorest communities in low-income countries have the marital custom whereby the family of the girls have to receive the 'bride price of money or livestock', and this means that child marriage has become a way of bringing resources in the family from where poverty exist.⁵⁹The Human Rights Watch report on this issue, 'This Old Man Can Feed Us, You Will Marry Him', demonstrates the fact of the choice of the family with the need to marry off their daughter with an old man, just for the family to receive financial support from the old man.⁶⁰

Furthermore as the phenomenon of child marriage is higher in Mali in the Northern West Africa; Cameroon in the Central Africa and, in the North of Nigeria; Niger and Chad, it is noted that there is the incidence of growing poverty.⁶¹As a consequence, many populations live with less than US\$ 2 per day. In Chad, 83% of the population live with less than US\$ 2.00 per day; 75.9% in Niger; 77% in Mali; 83% in Nigeria; in Burkina Faso 81%.⁶² This demonstrates how the impact of such level of poverty has an impact on the lives of the population and especially in the communities and family of the above African countries.

Lack of money in the families in the rural area of sub-Saharan Africa region is the cause of child marriage. Parents are negotiators of child marriage for their boys and girls. In Madagascar, in the 'community *Tsimihety*', in the North Western district of *Mampikony*, *Hantsohihy*, *Bealanana*, North *Befandriana*, and *Mandritsana* in Madagascar it is noted that 'child marriage is the responsibility of the

⁵⁸ L Robinson "Early marriage and poverty: why we should break the cycle' [http://:www.one.org/us/2014/07/08/early-marriage](http://www.one.org/us/2014/07/08/early-marriage) (accessed 6 August 2015)

⁵⁹ As above

⁶⁰ As above

⁶¹ Walker (n1 above) 239

⁶² As above

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parents of the boys, who would find a bride of and negotiate for the bride price and organize marriage.⁶³ Accordingly, the marriage ceremony takes place under the form of traditional rite, donation are given with oxen and money to the parent of the bride.⁶⁴ This means that, poverty and the need of money in the rural area of Sub-Saharan Africa countries, such as Madagascar is also the leading cause with the results that, both parents of boys and girl are responsible to find bride for the boys, and to settle the practice of child marriage and also organize the marriage after received money. Thus, poverty in Sub-Sahara Africa, and the need to exchange money between families, led to the practice of child marriage between communities for exploitation.⁶⁵

It is realized that, according to some traditions and practice, child marriage has the benefit for the poor families and girls to collect money for the well-being of the family and to strengthen the capacity of relationship within the community due to the fact that, marriage bring people together. But beside these conceptions, families ignore the consequences of harmful effect of child marriage in the health of their boys and especially of girls. As demonstrated, the tradition of child marriage is driven by poverty and this practice has the justification that 'it ensures girls financial future and to reinforce social ties' in that, 'parents who prefer their daughter to be in union with a good family', they also 'established social ties between tribes or clans and improve their social status.'⁶⁶

Usually parents in the families have two economic situations in their mind: the first is that, child marriage could serve as the financial security for the girls and the second that, it could also serve to reduce the economic burden on the parents.⁶⁷

Child marriage is not justifiable under international and regional laws. It have harmful effect in the lives of young girls in the world and in particularly in the lives of young girls in sub-Saharan Africa. The 'consequences of child marriage go beyond the lives of young married girls themselves, ultimately affecting the next generation.'⁶⁸ This means that even poverty is the leading cause of child marriage in the world and especially in sub-Saharan Africa, communities and families must eradicate this practice.

Due to poverty and despite the introduction of laws that prohibit child marriage in the rural area of Kenya, the practice of child marriage is still observed according to the report of the study by Plan International in Kenya.⁶⁹

Furthermore, because poverty is the leading cause of child marriage in Africa and especially in sub-Saharan Africa, 'child marriage was high among girls compared to male.'⁷⁰ This means that while the

⁶³Andrianisolo (n12 above) 3

⁶⁴ As above

⁶⁵ As above

⁶⁶ M N Nour 'Child marriage: a silent health and human rights issues' (2009) 2 *Journal Review in Obstetrics & Gynaecology* 53

⁶⁷ As above

⁶⁸ As above

⁶⁹ 'Under – age marriage still rampant in Kenya despite being outlawed' (n20 above)

⁷⁰ As above

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phenomenon of child marriage is a concern that disturbs the lives of young boys and young girls, in most of the cases girls are victims in that they are those who have the higher percentage of child marriage.

Another issue regarding the phenomenon of child marriage in Africa is the case of Niger. Niger has the highest rate of child marriage in sub-Saharan Africa and, there 'life is constant struggle against the accumulating challenges of hunger and poverty.'⁷¹ This means that child marriage in Niger is also due to the fact that in rural area, parents prefer their young girls to be in union earlier because of hunger and poverty as a means to get financial assistance from the family of the young boys or men for them to survive. It is noted that in Niger, 24% of girls are married when they complete the age of 15 and nearly 80% of girls are married in the exact age of 18. 'It is a social phenomenon that affects all significant ethnic groups in Niger, including the Hausa community because the main reason is economic.'⁷²

In sub-Saharan Africa, parents prefer their young daughters to be in union, and the reasons are the same in different areas. Even in Niger, parents are saying that, the reasons are because of the fear of seeing their unmarried daughters or teenagers girls 'falling pregnant', or as same mothers are saying that 'they can easily became delinquents.'⁷³

Another very chocking example concerning child marriage in Niger is that, 'in the northern city of *Agadez*', it was a marriages of young *Tuareg* girls to rich men from neighbouring Nigeria, whereby 'thousands of dollars has been paid and, it is noted that the price varied according to the girl beautifulness.'⁷⁴ This means that child marriage in sub-Saharan Africa is all about money for the benefit of the communities or families of the young girls.

Dealing with the issue of child marriage in Nigeria, studies found that in Nigeria, the practice of child marriage is different from the South and the North of the country. This could be explained in the sense that, because Nigeria has diverse religion, the South of Nigeria is dominated by Christians and the North is dominated by Islam and they use *Sharia* law.⁷⁵ Accordingly in 2013, Nigeria attempted to modified section 29, sub section 4 of its laws with the objective to prohibit child marriages, but this initiative was opposed by the Islamist states of Northern Nigeria, from where the practice of child marriage is uphold as a 'doctrine'.⁷⁶ This means that there is a confusion between the Christian states in the South that advocating for the prohibition of child marriage but, in the Northern area from where the so called '*Boko Haram*' military group are operating, child marriage still persist.

A report of Human Rights Watch in Tanzania, found that child marriages is also widely caused by poverty and expose young girls to a serious harm, violence including marital rape and it is noted that, 'their

⁷¹ Big money for Niger's child brides BBC News-BBC.Com' [http://: www.bbc.com/news/world-africa-27619295](http://www.bbc.com/news/world-africa-27619295) (accessed 6 August 2015)

⁷²As above

⁷³As above

⁷⁴As above

⁷⁵ 'The practice of child marriage in Nigeria Udoka Okafor' [http://: www.huffingtonpost/udoka-okafor](http://www.huffingtonpost/udoka-okafor) (accessed 6 August 2015)

⁷⁶ 'Child marriage in Nigeria: Girls at risk' [http://: www.nigerianobservernews.com>Home>OPINIONS](http://www.nigerianobservernews.com>Home>OPINIONS) (accessed 2 February 2016)

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families forced them to marry so they could obtain dowry payment' and other girls said that: 'they saw marriage as a way out of poverty, violence, and neglect or child labour.'⁷⁷

Due to poverty in sub-Saharan Africa, child marriage is seriously limiting to girls the opportunities to attend and to a good access to education. 'Four out of ten girls are married before their 18th birthday and they are often pulled out of school', and this is called the 'No Way Out': Child Marriage and Human Rights Abuses in Tanzania have found that, pregnant girl and married girl are not allow to school.⁷⁸

In Tanzania, 'there is not almost accountability for victims of violence related to child marriage and marital rape is not criminalized.'⁷⁹

In Mozambique, it is noted that '21 per cent of girls are married by the age of 15 and 56 per cent at the age of 18.'Accordingly, even the legal age of married in Mozambique is 18 but due to poverty, parents are still forcing their young girls to marry before the age of 18 for them to receive the bride price or dowry, because they could not support their daughters at school due to the lack of money.⁸⁰

This section was to demonstrate in sub-Saharan Africa how poverty is one of the major causes of child marriage.

2.4 Insecurity and conflict

2.4.1 Time of war

Research has shown that, in time of insecurity or conflict where socio-economic situations are threatened, the rate of child marriage usually increases.⁸¹

Insecurity and conflict in families, communities and in a State, for example in time of war, the consequence is that, apart from boys, many girls particularly faced circumstances whereby, girls are forced to be married below the age of 18. In this instance, parents in families and communities argue that, child marriage as a relationship to their young girls to marry boys or men is attempt to gain benefit or food, and security of their young girls from sexual violence. But in fact, 'child marriage is not a protection, it cause physical, psychological, and socio-economic treats', because it 'augment insecurity level for the brides or grooms and perpetuates the poverty cycle.'⁸²

Despite these provisions, many children who are living in fragile states are facing the challenges to be married very young due to conflict or insecurity; for 'natural disasters 'and, from the argument

⁷⁷'Tanzania child brides expose violence – Aljazeera English' [http://: www.aljazeera.com/humanrights/2014](http://www.aljazeera.com/humanrights/2014) (accessed 7 August 2015)

⁷⁸ 'Child brides in Tanzania miss out on education and risk violence and say report' [http://: www.aworldatschool.org/news/entry](http://www.aworldatschool.org/news/entry) (accessed 7 August 2015)

⁷⁹As above

⁸⁰K Cengel 'Married off in Mozambique – Aljazeera' [http://: www.projects.aljazeera.com/2014/child-marriage](http://www.projects.aljazeera.com/2014/child-marriage) (accessed 7 August 2015)

⁸¹ C R da Silva 'Child marriage in conflict zone: a protection mechanism that hinders security and development' [http://: www.hscentre.org/latest-articles](http://www.hscentre.org/latest-articles) (accessed 10 August 2015)

⁸² As above

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advocated by the Human Rights Watch it is noted that, 'early wedding in conflict zones are more common, more acceptable and involve increasingly younger children.'⁸³

Accordingly, during the Liberian civil war, many parents decided to force their young girls into marriage, thus 'directly or indirectly, child marriage is aggravated by conflicts'⁸⁴ in sub-Saharan Africa.

On the one hand accordingly, in times of conflicts 'abduction and forced marriage of young girls become common practice in some areas such as during the Sierra Leone civil war from 1991 to 2002.'⁸⁵ On the other hand it is noted that, in times of political, socio-economic and security breakdown child marriage is increased, as government could not provide public security or public services, bring parents to assume that marrying off their boys and especially girls is the only ways to protect them against sexual abuse.⁸⁶

The same phenomenon happened in Somalia during the civil war and, many parents and communities has decided to married their young girls to young boys or men with the justification that, it was for the better protection of their young girls.⁸⁷

Armed conflict and natural disaster are amongst the situations that cause the increase of the phenomenon of child marriage in sub-Saharan African. This means that there is a negative relationship between child marriage and fragile states because child marriage does not cause fragile state.⁸⁸ Accordingly, many studies on conflict areas in Africa have found that armed conflict is linked to the increase of child marriage. With the fragile state, another example is of Central African Republic, from where report has shown that civil war was one of the consequences that lead parents and communities in the rural areas to force their children into early marriage⁸⁹, because it becomes an option for parents and families to protect their girls.⁹⁰

Addressing the phenomenon of child marriage is a global one. This study dealt with the situation of child marriage in Africa and especially in the sub-Saharan African. But is it noted that, with the situation of insecurity and conflict and, especially in time of war in the world as a result, in Syria child marriage has increase since the starting of war in that country.

While legal age has been set out by the African Children Charter at 18 years as the minimum age of marriage⁹¹, in insecurity and conflict especially in time of civil war, many young girls are victims of early or child marriage. Many parents justified the need to marry off their young girls for reason of the security of their young girls against the so-called 'fear of sexually abused'. Research has also shown that,

⁸³As above

⁸⁴As above

⁸⁵As above

⁸⁶As above

⁸⁷As above

⁸⁸ 'Child marriage in fragile states-council on foreign relations' [http://: www.cfc.org/childmarriage](http://www.cfc.org/childmarriage) (accessed 5 October 2015)

⁸⁹ 'Fragile states, fragile lives: child marriage amid disaster and conflict' [http://: www.girlsnotbrides.org/fragile-states](http://www.girlsnotbrides.org/fragile-states) (accessed 10 August 2015)

⁹⁰ Child marriage in fragile states-council on foreign relations' (n89 above)

⁹¹ African Children Charter (n11 above)

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not only in Africa but even in Asia from the zones of military conflicts, child marriage is in increase due to socio-economic breakdown amongst families, communities and especially for young girls in refuge.

2.5 Conclusion

In this Chapter, the issues regarding child marriage was addressed and specifically on the causes of child marriage in sub-Saharan Africa. It is demonstrated that poverty, gender inequality and conflict or insecurity could play a negative role on the lives of young boys and girls because these factors are the root causes of child marriage in sub-Saharan Africa. The United Nations Millennium Development Goals that was established with the objectives to eradicate poverty in goal one; to promote gender equality in goal three and to reduce child mortality in goal four were not achieved in 2015 but, 2030 is the target year of the realisation of the project of MDGs.⁹²

Chapter 3 Strategies to overcome the practice of child marriage in Africa

3.1 Introduction

This chapter addresses the strategies to overcome the practice of child marriage in Africa and in particular in sub-Saharan Africa, as answer to the second question of the study. Accordingly, many strategies could be identified in dealing with an issue and where there is the need for a change in providing solution regarding any problem in Africa. Studies have shown that one important strategy to overcome child marriage is to empower girls through programmes that promote the rights of women including girls for their wellbeing, for example access to education for girls. Other strategies include mobilization of families and communities so that boys, girls, women and men could be informed to end child marriage, for example in changing attitude with the objective of ‘not to marry girls who are still children’; provide service that could help girls who are at risk of child marriage including girls who are married and to ‘establish and implement laws and policies, for example the national laws must correspond with norms of international, regional human rights standards that protect the rights of children.’⁹³

3.2 Empower girls through education

3.2.1 Programmes to prevent and mitigate the risk of child marriage

Preventing child marriage in sub-Sahara Africa require many efforts with the objective to mitigate the risk, and it is demonstrated that, to address the issue of child marriage is really at the heart of ‘Girls Not Brides’ work and accordingly, solutions may differ from the circumstances of one community to another and it is also advocated that, Girls Not Brides has adopted and developed the ‘theory of change on Child Marriage.’⁹⁴

⁹² ‘UN: Millennium Development Goals: Millennium Project’ [http://: www.unmillenniumproject.org/goals](http://www.unmillenniumproject.org/goals) (accessed 15, October 2015)

⁹³ ‘Girls not brides: The global partnership to end child marriage’ (n 22 above)

⁹⁴ ‘How can we end child marriage? Girls not brides’ (n 23 above)

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As a strategy to overcome the practice of child marriage in sub-Saharan Africa, education is a tool that could make young boys and girls aware of their rights and, will also bring them a specific knowledge especially regarding child marriage and the way to end this practice.

There is the need to set up programmes that could prevent and mitigate the risk of child marriage with the outcome that, young girls will be aware of their rights; through peer groups and collective action, and as a result young girls could have the opportunity to experience solidarity amongst them.⁹⁵

Another very important element is that, there is the need to increase the access to health, education, economic and legal support for the benefit of married and unmarried girls.⁹⁶ This means that, for girls who are unfortunately married and those who are not must have access to health care and health services, for example adequate treatment, good environment, food and any related information regarding their situation, any education regarding sex and its consequence, economic support such as free education for young boys and especially girls who cannot afford, and provide them free legal services and advice.

Accordingly as a result of programmes that set up education as a tool to end child marriage, girls at risk of child marriage will benefit from the improved educational and economic opportunity as an alternative to child marriage and, the improvement of the girls' right to the access of quality schooling will also increase the chance of the girls to embrace secondary school and could help to delay marriage of girls.⁹⁷ This means that the empowerment of girls in giving them the opportunities to receive knowledge and education at school will help them to be successful in their lives, as an alternative of child marriage.

3.2.2 Participation of girls in decision that affect them

Regarding the situation of the participation of girls in decision that affect them, research has shown that, it is important that girls at risk of child marriage should have the opportunity to participate more in decision that affect them, including the issue of marriage.⁹⁸

Regarding the promotion of the rights to participation of girls in decision that affect them, it is noted that many countries in Africa are party to the CRC that dealt with children's rights because it ratified the Convention and as a result, the states have agreed to 'respect and ensure' to every child the enjoyment of all rights in a non-discriminatory basis.⁹⁹ Accordingly, with issue of participation of girls' decision in a society, girls could choose education as an alternative of child marriage because, 'education is a basis for the advancement of human rights', and all human beings are entitled to but unfortunately, it is denied

⁹⁵ 'Girls not brides: the global partnership to end child marriage' (n 22 Above)

⁹⁶ As above

⁹⁷ 'How can we end child marriage? Girls not brides' (n23 above)

⁹⁸ 'Girls not brides: the global partnership to end child marriage' (n22 above)

⁹⁹ R Songca 'Theorising children's rights as multi-and inter-disciplinary field of study' in F Viljoen (ed) *Beyond the law Multi-disciplinary perspectives on human rights* (2012) 144

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around the world, including in Africa.¹⁰⁰ Thus, the SADC Declaration on Gender and Development of 1997 also promote the eradication of traditional norms, religious belief, practices and stereotypes that legitimise and tolerate violence against women and children.¹⁰¹

The SADC Parliamentary Forum has provided for financial assistance including technical resources with the objectives to develop SADC Model Law on child marriage due to the fact that, the SADC states members opposed to the phenomenon of child marriage that affect million girls children in the sub-Saharan Africa and beyond.¹⁰² The General Secretary of the SADC revealed that, many several partners behind the SADC that support the initiatives of SADC Model Law on child marriage, as is the case of the United Nations Development programme (UNDP) which made a significant commitment on the support of technical development 'of a position paper which would serve as a lobbying document alongside the proposed Model Law on child marriage.'¹⁰³ Another significant contribution is of the United Nations Population Fund (UNFPA) that provided the support of finance with the objective to secure the service of the legal draft of the Model Law on child marriage and, the Southern African Litigation Centre 'as also provided funds towards convening drafters to work on the proposed Model Law on child marriage.'¹⁰⁴

3.3 Mobilize families and communities

3.3.1 Change of attitude and behaviour related to child marriage

As a strategy to overcome the practice of child marriage in Africa, it is demanded to families, communities and especially young people to be engaged to change attitude and behaviour related to child marriage.¹⁰⁵ As outcome, families, communities and young people must be aware of the phenomenon of child marriage and also about the harmful impact of child marriage and, on any alternative possibility to end child marriage.¹⁰⁶

For instance, Girls Not Brides has set up the mechanism of bringing young boys and young girls together in a groups as adolescent to share their experience and become the advocates of change in ending child marriage. This means that there is the encouragement of young boys and girls to a dialogue in groups and also, local communities' leaders and governments officials must be involved regarding the issue that affect young people, including child marriage.¹⁰⁷ It is noted that in ending child marriage and in involving the participation of boys and girls in that process, studies has shown how Senegalese youth has addressed the issue of early, forced and child marriage through film and the example of the theatre that empowered girls to challenge child marriage in Tajikistan.¹⁰⁸

¹⁰⁰ C Chitupila 'The rights to education as a basis for human rights education: an interface between human rights and education' in F Viljoen (ed) *Beyond the law Multi-disciplinary Perspectives on Human Rights* (2012) 164

¹⁰¹ 'Declaration of SADC on Gender and Development of 8 September 1997 para 13

¹⁰² 'SADC model law on child marriage on the cards' [http://: www.sadcpf.org/index.php%3Foption%3](http://www.sadcpf.org/index.php%3Foption%3) (accessed 11 December 2015

¹⁰³ As above

¹⁰⁴ As above

¹⁰⁵ 'Girls not brides: the global partnership to end child marriage' (n 22 above)

¹⁰⁶ As above

¹⁰⁷ 'How can we end child marriage? Girls not brides' (n 23 above)

¹⁰⁸ As above

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Mobilizing families and communities with the aims of changing attitude and behaviour related to child marriage is important because, 'law alone won't end child marriage- in many instances legislation is not enforced as many local authorities are reluctant to be seen interfering in private affairs of families.'¹⁰⁹ Accordingly, there is the need to engage families and communities in the process of ending child marriage from where the law cannot be applied through awareness between communities' members.

With the engagement of ending child marriage in Africa and particularly in the sub-Saharan Africa, research has shown that, 'religious and traditional leader too can play a key role in speaking out against child marriage and changing community attitudes'. For example in the Republic of South Africa, Archbishop Desmond Tutu have spoken forcefully to men, boys and also to the religious and traditional leaders with the objective to support the end of the practice of child marriage in Africa and in particular in the sub-Saharan Africa.¹¹⁰

3.3.2 Increase the use of media to inform and support norm change to end child marriage

Accordingly, families and communities must involve young people to the change of attitude to not prefer to marry young girls as children in Africa and also, men cannot prefer to marry girls who are still children. This can be increased through communication by media with the objective to inform and to the real support of change to end the practice of child marriage.¹¹¹

Literature demonstrated that, the use of mass media is very important to address the phenomenon of child marriage in Africa and particularly in the sub-Saharan African region, and to bring this practice to an end through campaign of awareness regarding the general laws that prohibit the practice of child marriage and the harmful impact of child marriage; and the awareness must be done to the general public and also to the attention of government as part of the pressure, and also including to the attention of communities leaders with the objectives to take action to end the practice of child marriage.¹¹²

3.4 Provide services

3.4.1 Increase access to health services for adolescent girls, married and unmarried girls

Services must be provided for the benefit of young boys and especially girls such as; to increase the access to safe quality formal and informal education for girls; to increase the access for health service for adolescent girls, married and unmarried girls; to increase the health education services by the establishment of protocols with the objective of identifying the warning signs and, also by addressing the risk of child marriage on young girls.¹¹³

¹⁰⁹ As above

¹¹⁰ As above

¹¹¹ 'Girls not brides: the global partnership to end child marriage'(n 22 above)

¹¹² 'How can we end child marriage? Girls not brides'(n 23 above)

¹¹³ 'Girls not brides: the global partnership to end child marriage'(n22 above)

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3.4.2 Improve economic security for girls

To improve the economic security for the benefit of young girls and to increase the commitment of the programmes, have the objective to prevent and mitigate the risk of child marriage.¹¹⁴ Research found that, the introduction of economic incentives could also help to strengthen families and communities to reconsider the alternatives to child marriage. 'incentives include micro finance schemes to help girls support themselves and their families, and providing loans, subsidies and conditional cash transfers to parents of girls at risk of becoming child brides.'¹¹⁵

This suggest that governments must support those girls at risk of child marriage who could not support themselves, including their families as alternatives to avoid them to become subject of being child brides, in allowing them a get loan and cash from government officials.

3.5 Establish and implement laws and policies

3.5.1 A robust legal and policy framework for preventing child marriage

National laws of countries in Africa and particularly in the sub-Saharan Africa must reflect the international and regional standards that must provide a legal framework against child marriage and set up the minimum legal age of marriage to 18 years and protect the rights of women and girls.¹¹⁶

With these commitments, the African Union for example has launched a campaign to end child marriage in Africa on the years 2014 and accordingly, the Special Rapporteur and Goodwill has been appointed and including Ambassadors for that purpose of addressing and ending the phenomenon of child marriage in Africa.¹¹⁷

Studies found that, an increasing good number of African countries and governments have decided to develop national strategies, actions plans, campaigns and many others initiatives with the objective to end child marriage in Africa and particularly in the sub-Saharan Africa. The examples of countries are: Burkina Faso, Egypt, Ethiopia, Mozambique, Tanzania, Togo, Uganda and Zambia.¹¹⁸ Accordingly, the Zambia government for example has launched a multi-sectoral approach with the objective to address the issue of child marriage and teenage pregnancy whereby the traditional leaders also have played important active roles including the private sectors.¹¹⁹ In Zimbabwe, 'some parliamentarians have voiced their objection to child marriage.'¹²⁰

It is noted that, from policymaker to the families and communities, all have the responsibility to end child marriage in Africa. Accordingly, all African governments could really develop and implement in the national sphere the national action plans that could help to end the practice of child marriage and, the

¹¹⁴ As above

¹¹⁵ 'How can we end child marriage? Girls not brides' (n23 above)

¹¹⁶ As above

¹¹⁷ 'Ending child marriage in Africa: there's no time to wait! – Day of the African child 2015' [http://:www.girlsnotbrides.org/ending-child-marriage](http://www.girlsnotbrides.org/ending-child-marriage) (accessed 18 August 2015)

¹¹⁸ As above

¹¹⁹ 'SADC model law on child marriage on the cards' (n103 above)

¹²⁰ As above

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African Union could also help with the political will with the positive and real change in the lives of all girls in Africa.¹²¹

Another aspect of change with the objective to end child marriage in Africa and especially in the sub-Saharan Africa is to involve civil societies such as non-government organisations (NGO) and many other organizations, with their participation to end the practice of child marriage. For instance, 'Girls Not Brides member and civil society across Africa can come together to share expertise, speak with one voice, and encourage governments to act.'¹²²

Furthermore, because the issue of the minimum legal age of marriage is concerned:¹²³

while many countries are legislating for the minimum legal age of marriage, 'this is often not enforced, some countries continue to have legal age for marriage lower than in the UN Convention on the Rights of the Child and the legal age for marriage is also higher for men than women in many countries.

Accordingly, it is realized that:¹²⁴

Nigeria is not alone in facing this problem. While 32 African countries have set the minimum age of marriage at 18, many allow exceptions. The Africa Child Policy Forum, a member of Girls Not Brides, has done an extensive study of minimum age of marriage laws throughout Africa. It found that in Ethiopia, for example, the Ministry of Justice has discretionary power to authorize marriages before 18. In Burkina Faso it is the Civil Court. In Angola, the law accepts that 15- years-old girls can be married with their parents' consent, even though the age of marriage is 18.

Literatures shows that, there is much more to do with the Nigerian case because of the lack of legal capacity and it would be better if more Nigerian states could adopt the Child Rights Act that provide for the legal minimum age of marriage at 18 and also, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa also provided for the minimum legal age for marriage at 18.¹²⁵

In fighting against the practice of child marriage in Africa and especially in the sub-Saharan Africa, through implementation of legal framework that prohibit such practice and that could help families and communities to end child marriage, the following guidelines should be considered for the effective prevention of early, forced and child marriage in Africa.

When drafting legal norms for the prohibition of child marriage:¹²⁶

Drafters should consider following the council of Europe Parliamentary Assembly's suggestions on prevention of forced marriages. Laws should provide for: awareness-raising and training for women, girls and their families on human rights; information in multiple languages about the laws and best practices, as well as highlighting consequences for perpetrators and protection measures for women and girls;

¹²¹ 'Ending child marriage in Africa: there's no time to wait! – Day of African child 2015' (n118 above)

¹²² As above

¹²³ 'How can we end child marriage? Girls not brides' (n23 above)

¹²⁴ As above

¹²⁵ As above

¹²⁶ 'Prevention of forced and child marriage' [http://: www.endvawnov.oeg/en/articles639-prevention-of-forced-and-child-marriage](http://www.endvawnov.oeg/en/articles639-prevention-of-forced-and-child-marriage) (accessed 20 August 2015)

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information to women and girls about protection measures available to them; and support for Non-Governmental Organizations (NGOs), particularly those that work with immigrant communities.

Furthermore it is demonstrated those drafters:¹²⁷

Should also look to the report of the Special Rapporteur on the human rights aspect of trafficking in persons especially women and children for guidance on preventative measures. States should implement laws and various measures that target the demand for forced marriages; monitor protection measures in the marriages market trade; ensure that girls have equal access to education; review and develop civil remedies for victims, including simpler annulment procedures, civil tort remedies and extended statutes of limitation in forced marriages; support organizations assisting victims; consider criminalizing the specific offence of forced marriage; prosecute other related crimes, such as rape, sexual abuse and violence, and; prohibit children under the age of 18 years from marrying.

Monitoring of national, regional and international standards that

prohibit child marriage

The international and regional standards that prohibit the practice of child marriage must be embodied in the national laws of countries that have ratified those standards. This means that those standards must be incorporated in the states' internal policies, because ratifying the international treaty is a serious commitment of realizing its goal and, should engage the states to the introduction or to the amendment of national policies and to monitor these norms.¹²⁸ Accordingly, in relation with the phenomenon of child marriage, the ratification of the instrument that makes the provision for the prohibition of the practice of child marriage, this must inspire the national governments to amend their laws and policies, with the objective to prohibit such practice in their territory respectively.¹²⁹

Child marriage must be understood as a human rights issue and as such, also to understand the gravity with regards to young boys and young girls and to put emphasis on the norms that prohibit this practice and, to apply these norms through national laws, policies and the most important phenomenon is the monitoring of such regulation that prohibit the practice of child marriage. Monitoring international and regional laws through the implementation of national legislation allow the realization of and the application of such provisions in specific area. Addressing the phenomenon of child marriage and the need to end this practice, require strong commitment also on the side of families, communities and especially to the governments through the monitoring of regulation that are in place for the protection of young boys and girls in regarding child marriage.

Without a mechanism of monitoring the laws and policies that prohibit the practice of child marriage in the world and in particular in Africa, it will be a barrier to end such practice. International and regional treaties help to ensure that the states are accountable with their engagement by failing to address the issue.¹³⁰

¹²⁷ As above

¹²⁸ R Gaffney – Rhys 'International law as an instrument to combat child marriage' (2011) 15 *The international Journal of Human Rights* 367

¹²⁹ As above

¹³⁰ As above

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Governments in Africa and especially in sub-Saharan Africa must also strengthen the civil registration system for birth and marriage and increase the accountability and the monitoring of national, regional and international legal framework that enable to end the practice of child marriage¹³¹ because this practice (child marriage) violated the girls' right to education, brings their health condition at a serious risk and also stops the effort of the national development.¹³²

Monitoring the legal framework that forbids the practice of child marriage is important because, child marriage practice is harmful tradition in relation to the lives of young girls and several international and regional conventions prohibit this practice. Accordingly, 'The Southern African development Community (SADC) on Gender and Development and the General Recommendation of the CEDAW Committee on equality and family relations also state that no person under the age of 18 should marry.'¹³³

Another very important factor of monitoring the legal framework that prohibit the practice of child marriage in Africa is that, setting the legal age of marriage for both boys and girls at 18 allows the families and communities to be aware and to recognize that, 'children do not have the maturity to consent to marriage, and offer them legal protection from the abuse, violence and exploitation they risk within child marriage.'¹³⁴ Accordingly, monitoring laws, legislations and internal or national policies against the practice of child marriage are not only important for the effective prohibition of child marriage in Africa but, also it is so important because it protect the future of young boys' especially young girls.

Furthermore the prohibition of child marriage in sub-Saharan Africa and the mechanism of monitoring legal framework that forbidden this practice is important by the fact that, it prevent the sexual exploitation of girls in the world and in particular in Africa.¹³⁵

This means that, the monitoring of the legal frameworks must be the preoccupation of the international community and especially in Africa, so that families and communities could really overcome the practice of child marriage and bring it at end. This situation must be taken as serious for the protection of the future generation of young boys and especially for young girls in Africa and especially in sub-Saharan Africa.

Finally, the monitoring of legal framework that prohibit child marriage must be the preoccupation of governments in Africa and especially in sub-Saharan Africa because, even in the Republic of South Africa the phenomenon of '*ukuthuala*' defined as the practice that force girls to be abducted into forced marriage still persist in the country and thus, this practice are in serious violation of the UN conventions and the African Charter on the Rights of the Child.¹³⁶

¹³¹ 'Girls not brides: the global partnership to end child marriage' (n22 above)

¹³² 'How import is the minimum age of marriage legislation to end child marriage in Africa' (n17 above)

¹³³ As above

¹³⁴ As above

¹³⁵ As above

¹³⁶ D Tutu & N Gumbonzvanda 'Africa will benefit from bringing end to child marriage' [http://:www.dblives.ca.za/opinion/2015/02/02](http://www.dblives.ca.za/opinion/2015/02/02) (accessed 20 August 2015)

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3.5.2 Programmes to delay child marriage (interventions)

Below is the case study of programmes to end child marriage as interventions from Ethiopia and Tanzania in sub-Saharan Africa, as an example to demonstrate how these countries have taken the positive step to eradicate the practice of child marriage in their respective countries. And it is noted that, in Malawi, the non-governmental organizations (NGOs) also are putting more effort to eradicate any practice that could harm girls and, to protect girls through families' awareness against discrimination of girls from boys and men, but to treat them as equal and give them equal value and also to prioritize the education of girls as an alternative to child marriage.¹³⁷

The case of 'The *Berhane Hewan* (Light of Eve in Amhara) programme in Ethiopia.¹³⁸ This was a two years pilot project managed in 2004 - 2006 as the effort of the Ethiopian Ministry of Youth and Sport and the *Amhara* Regional Bureau of Youth and Sport and, the goal was to target married and unmarried girls of 10-19 years old with the objectives to establish measures to protect girls at risk of forced early marriage and also to support girls who are already married. It is noted that the programme was to delay child marriage in Ethiopia.¹³⁹

The *Berhane Hewan* had three components: group formation by adult female mentors; support for girls to remain in school (including economic incentive such as school supplies and food to overcome economic barrier), and the participation in non-formal education (e.g. basic literacy and numeracy) and training for out of school girls; and communities conversations to engage the community members and stakeholders in discussion concerning the phenomenon of child marriage.¹⁴⁰

Accordingly, an evaluation has shown that 'the early discussion with the community members in *Amhara* region revealed' that poverty and 'economic motivation' was one of the cause of child marriage and, there were the need to establish the system of economic incentives or assistance to parents who supported their girls at school and in addition, there were also a high demand among adolescent who wanted to get access to education, as a mechanism for them to overcome child marriage in the area of the project that was conducted in Mosebo village in *Amhara* region.¹⁴¹ This programmes demonstrate how the strategies such as: formation and empowerment of girls; the mobilisation of communities to end child marriage and the service to improve the economic situation of parents that keep their girls at school for long time up until their become 18 years, was implemented in practice for the promotion of the right of girls and also for the protection of girls for not be married.

Furthermore, in Ethiopia it was possible to delay child marriage with the interventions such as: ¹⁴²

in communities where girls was offered educational support, girls aged 12-14 were 94% less to be married at end line than were girls in that age range of baseline; in the communities where girls was offered two

¹³⁷ D Mthawanji 'Malawi: child labour and child marriage perpetuate gender inequality' (2013) <http://www.genderlinks.org.za/Home>GLNews>GLNews>

¹³⁸ A S Erulkar & E Muthengi 'Evaluation of Berhane Hewan: a programme to delay child marriage in rural Ethiopia' (2009) 35 *International Perspectives on Sexual and Reproductive Health* 7

¹³⁹ As above

¹⁴⁰ As above

¹⁴¹ As above

¹⁴² 'Building an evidence base to delay child marriage in sub-Saharan Africa' (n 46 above)

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chicken every year they remained unmarried and in school, girls aged 15-17 were half as likely to be married at end line than were girls in that age range at baseline; in communities that were engaged in conversations about the value of educating girls and the harm of child marriage, girls aged 12-14 were two-third less likely to be married at end line than were girls in that age range at baseline; in communities where all strategies were employed, girls aged 15-17 were two-third less likely to be married at end line than were girls in that age range at baseline.

In Tanzania, in the communities from where girls was offered goats for them to remain unmarried and to be still in school, study found that 15 to 17 years old girls 'were two third less likely to be unmarried than girls of the same age that lives in comparison area where the programme was not offered' and accordingly study found that, the intervention to keep 12 to 14 years old girls unmarried at school did not achieved the effective statistical but, the use of all three strategies interventions has evidenced a positive effect among 12- 14 and 15-17 years old girls.¹⁴³This demonstrates the importance of the use of all the strategies than one in isolation because, the interventions had the objectives of improving the lives of young girls and for example of the evaluation of Cost-effectives as was developed by the Population Council, in Ethiopia the supplies for school is \$ 17 per child per year; the conversations of the communities is \$ 30 per year; conditional economic incentives is two chickens that cost \$ 32 per girls per year and the combined interventions cost \$ 44 per girls per year and in Tanzania, school supplies cost \$ 22 per girl per year; conditional economic incentives is \$ 107 for one goat per girl per year; community conversation cost \$ 11 per girl per year and the full model providing all three interventions cost \$ 117 per girl per year.¹⁴⁴

In 2015, new evidence was published by the Population Council regarding 'four strategies to delay the age of marriage among girls aged 12-17 in part of Ethiopia, Tanzania and Burkina-Faso.'¹⁴⁵Accordingly the four strategies that were tested are: community conversation to engage meetings about the danger of child marriage; supporting the education of girls including the effort of cost-effectives (school supplied); providing food (chickens or goats) as conditional economic incentives to unmarried girls at school and the combination of all the strategies.¹⁴⁶

The same strategies used to end child marriage were also found by the International Centre for Research on Women (ICRW) with the study conducted on 'Solutions to End Child Marriage.' Accordingly, the first of the strategies were to empower girls with knowledge or skills; the second was to provide economic conditional support and incentives to both girls and parents; the third was to educate parents and community; the fourth for the high-quality of education for girls and the last was to strengthen laws and policies.¹⁴⁷

¹⁴³ As above

¹⁴⁴ As above

¹⁴⁵ 'New research from the population council shows child marriage can be delayed'(n4 above)

¹⁴⁶ As above

¹⁴⁷ 'International Centre for Research on Women: Solution to end child marriage' <http://www.icrw.org/publications/solutions> (accessed 1 September 2015)

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3.6 Conclusion

This Chapter was to address the importance of the promotion of the education of young boys and young girls in sub-Saharan Africa as an alternative to child marriage. This is related to the MDGs six with the objective to encourage education for all that was missed to be achieved by 2015, but by 2030 the 'Sustainable Development Goals (SDGs) or Global Goals will guide funding for the next 15 years with the objectives to achieves all the eight MDGs.'¹⁴⁸

Chapter 4 Conclusion and recommendations

4.1 Conclusion

This study addresses the situation of the practice of child marriage in Africa. Africa was the targeted area of study and in particular in sub-Saharan Africa because of the higher rate of early marriage.¹⁴⁹ According to UNICEF, child marriage is a phenomenon for both boys and girls but, it is noted that, girls are 'the most affected.'¹⁵⁰

The Universal Declaration of Human Rights contain basic rights for every individuals e.g. equality, equal protection before the law without any discrimination,¹⁵¹ The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), require states parties to 'condemn all forms of discrimination against women and to refrain from engaging any act or practice of discrimination against women' and, also to 'take appropriate measure to eliminate discrimination against women by any person, organisation or enterprise'; to pass 'legislation to modify or abolish existing laws, regulations, customs and practice which could discriminate women,'¹⁵² and this correspond with the provision of equality before the law in the African Charter on Human and Peoples' Rights¹⁵³ because, 'equality is one of the philosophical foundation of human rights.'¹⁵⁴ The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa also demand to all African states parties to eradicate all form of discrimination against women (and including girls).¹⁵⁵ With this fact, it is noted that the national and international communities are aware of the phenomenon of child marriage, as a marriage

¹⁴⁸ 'UNDP: A New sustainable development agenda' [http://: www.undp.org/mdgoverview.html](http://www.undp.org/mdgoverview.html) (accessed 15, October 2015)

¹⁴⁹ J A Walker 'Early marriage in Africa – Trends, harmful effects and interventions' (2012) 16 African Journal of reproductive Health Abstract [http://: www.ncbi.nlm.nih.gov/pubmed/2296555](http://www.ncbi.nlm.nih.gov/pubmed/2296555) (accessed 4 September 2015)

¹⁵⁰ 'UNICEF Child marriage: Child protection violence, exploitation and abuse' (2014) [http://: www.unicef.org/.../5929/58008.html](http://www.unicef.org/.../5929/58008.html) (accessed 4 September 2015)

¹⁵¹ Universal Declaration of Human Rights of 1948, article 7

¹⁵² Convention on Elimination of All Form of Discrimination against Women (CEDAW) 1981, article 2

¹⁵³ African Charter on Human and Peoples' Rights, art 3

¹⁵⁴ D P Zongwe 'Equality has no mother but sisters: the preference for comparative law over international law in the equality jurisprudence in Namibia' in M Killander (ed) *International law and domestic human rights litigation in Africa* (2010) 126

¹⁵⁵ Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa 2005, article 2

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below the age of 18 as a result, UNICEF declared that ‘child marriage is a social menace and a social problem.’¹⁵⁶

This is a serious problem because on the one hand, it is a violation of girls’ human rights: e.g. right to development, equality and education and on the other hand, have harmful effect on the health of girls in that, it could cause death to girls or baby at birth time or during the first year of the birth.¹⁵⁷ Accordingly, study found that in a families or communities, the relationship between parents and children must be one with the result that, children must be supported by parents because, children cannot support themselves.¹⁵⁸

But despite provisions that address the situation of child marriage and the prohibition of such practice, this phenomenon still persists due to some reasons, but not limited to poverty, gender inequality and insecurity or conflict.¹⁵⁹

Literature demonstrated that ‘between 2011 and 2020 more than 140 million girls will become child brides, according to the United Nations Population Fund (UNPF) and currently, 15 million of girls are married every years or, 39.000 per day and ‘of the 140 million girls will marry before the age of 18, 18.50 million will be under age of 15.’¹⁶⁰

4.2 Recommendations

4.2.1 General recommendations

Many recommendations could be made in this study regarding the responsibility of the states in sub-Saharan Africa in ending child marriage and in promoting gender equality between boy and girls and women and men. Gender equality is supported in this study because, ending child marriage is to promote and protect the equal rights between boys and girls and importantly for women and men. This means that boys and girls should have equal rights¹⁶¹ and also women and men should enjoy the same rights.¹⁶² Accordingly, in families and communities parents must accord to their girls the same value as they give to their boys and this can be achieved by the fact that, the same ways parents are keeping their boys at school for long time must be also for girls in sub-Saharan Africa.¹⁶³

¹⁵⁶ ‘UNICEF end child marriage South Asia progress report’ [http://: www.unicefrosa-progressreport.org](http://www.unicefrosa-progressreport.org) (accessed 4 September 2015)

¹⁵⁷ S Lee – rife *et al* ‘What works to prevent child marriage: a review of the evidence’ (2012) 43 *Studies in Families Planning* 287

¹⁵⁸ J Goldstein *et al* *Beyond the best interest of the child* (1987) 9

¹⁵⁹ ‘United Nations Population Fund - child marriage’ [http://: www.unfpa.org/child-marriage](http://www.unfpa.org/child-marriage) (accessed 4 September 2015)

¹⁶⁰ ‘UN: Child marriage: 39.000 – every day more than 140 million between 2011-2020’ [http://: www.un.org/youthenvoy/2013/09/child](http://www.un.org/youthenvoy/2013/09/child) (accessed 4 September 2015)

¹⁶¹ ‘Are girls and boys equally? Debate’ [http://: www.debate.org>Home>Opinion>Society](http://www.debate.org>Home>Opinion>Society) (accessed 4 September 2015)

¹⁶² ‘Do women and men have equal rights? Debate’ [http://: www.debate.org/Opinions/do-women-and-men-have-equal-rights](http://www.debate.org/Opinions/do-women-and-men-have-equal-rights) (accessed 4 September 2015)

¹⁶³ F Huebler ‘International education statistics: out-of-school children and adolescents, 2000-2012’ [http://: www.huebler.blogspot.com/2014/06/oos.html](http://www.huebler.blogspot.com/2014/06/oos.html) (accessed 2, October 2015)

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The Centre for Human Rights at the University of Pretoria (CHRUP) organized a meeting of experts from 10 countries, as well as 10 countries researchers on child marriage in Africa in March 2014 with the objectives to investigate the phenomenon of child marriage in African countries and provide 'recommendations on the best practices that can be employed to curb' or to limit child marriage through final regional report.¹⁶⁴ This initiative also support the 'mandate of the Special Rapporteur on the Rights of Women in Africa (SRRWA)', which require on the one hand the implementation of the African Charter on Human and Peoples' Rights and the Protocol on the Rights of Women in Africa by states, to prepare reports regarding the situation of women in Africa and also to propose recommendations for the adoption by the African Commission on Human and Peoples' Rights because, the promotional and the protective mandate of the African Commission is provided in article 45 of the ACHPR,¹⁶⁵ and on the other hand to 'carry out the comparative studies on the rights of women in Africa to eradicate child marriage.'¹⁶⁶

African states have the primary responsibility at national level to protect, respect, fulfil and promote human rights.¹⁶⁷ This means that states have the obligations under the African Charter and its Protocols to comply with their human rights obligations to eliminate child marriage or child union.

Furthermore it is noted that experts and researchers for the study that was present to the meeting at the CHR were from Cameroon, Democratic Republic of Congo, Gambia, Kenya, Malawi, Mali, Mauritania, Mozambique, South Africa and Uganda 'were chosen because of high rate of early and forced marriage as well as, to offer some examples in terms of best practices that may be employed, regionally in the fight against early and forced marriage' and also, another helpful report will be adopted by the African Commission on Human and Peoples' Rights because it was also in consideration on the meeting by the representatives of the African Committee of Experts on the Rights and Welfare of the Child (ACERWC).¹⁶⁸ For example in Cameroon 3% of 15 years girls have babies in lives and 2% of girls are having their first pregnancy all in rural areas.¹⁶⁹

The recommendations also was on the possible interventions to eliminate harmful traditional practice including child marriage in promoting the education of boys and especially girls with economic support, to mobilise families and communities to change attitude or behaviour with the objective to stop the phenomenon of child marriage, with the involvement of media and another issue is that, 'naming the practice child union and not a forced marriage as the necessity consent to marriage can never be

¹⁶⁴ 'Regional experts meeting on child marriage in Africa 5-6 March, 2014' [http://: www.chr.up.ac.za/index.php/centre-news](http://www.chr.up.ac.za/index.php/centre-news) (accessed 14 September 2015)

¹⁶⁵ R Murray & D Long 'The implementation of the findings of the African Commission on Human and Peoples' Rights' (2015) 3

¹⁶⁶ 'Child marriage in Africa project- News-Centre for Human Rights, University of Pretoria' [http://: www.chr.up.ac.za/index.php/child-marriage](http://www.chr.up.ac.za/index.php/child-marriage) (accessed 14 September 2015)

¹⁶⁷ F Viljoen *International human rights law in Africa* (2007) 9

¹⁶⁸ 'Regional experts meeting on child marriage in Africa 5-6 March, 2014' (n 165 above)

¹⁶⁹ As above

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present between a minor and an adult.¹⁷⁰ This position is clear because a marriage is only a phenomenon that concern adult or person with the age of 18 and thus, the Maputo Protocol determines ‘the minimum age for marriage of women shall be 18’,¹⁷¹ and the registration of all marriage also is another strategy to stop child marriage. Any new marriage below the age of 18 must be prohibit and cannot be registered by the states authorities in sub-Saharan Africa.

4.2.2 Specifics recommendations

These specifics recommendations are addressed to the attentions of non-states actors such as the NGOs and the media. NGOs must play important role with the objectives to eradicate the practice of child union in sub-Saharan Africa through direct collaboration with families and communities and, the media must also inform the public on the awareness of the phenomenon of child marriage and its negative effect on boys and girls, and to promote the education for both boys and girls with conditional economic support.

Words count: 13010

¹⁷⁰ Maputo Protocol, article 6(b)

¹⁷¹ Maputo Protocol, article 6(d)

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5.5 Paper

A simplified version of the United Nation Convention on the Rights of the Child, article

5.6 International instruments

Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) 1981

Convention on the Rights of the Child (CRC) 1989

Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriage 1964

International Covenant on Civil and Political Rights (ICCPR) 1976

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5.7 Regional and Sub regional instruments

African Charter on Human and Peoples' Rights of 1986

African Charter on the Rights and Welfare of the Child of 1999

Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa 2005

Declaration of SADEC on Gender and Development of 8 September 1997 paragraph 13

5.8 Declaration

Universal Declaration of Human Rights of 1948

5.9 General recommendations

Join general recommendations/general comment number 31 of the Committee on the Elimination of Discrimination against Women and number 18 of the Committee on the Rights of Child on harmful practices' [http://: www.ork.lu/index.php/bs/prava-deteka/ko](http://www.ork.lu/index.php/bs/prava-deteka/ko) (accessed 1, October 2015)