



# Research Report

## United Nations International Children's Emergency Fund

### AGENDA ITEM

Early and Forced Child Marriages

Chairing Panel

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# Welcome

**Forum:** United Nations International Children's Emergency Fund

**Topic:** Early and Forced Child Marriage

**Chairperson:** Ibrahim Riaz

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Dear Delegates,

We warmly welcome you to this year edition of RBCMUN 2017. We hope you are as excited as we are about discussing this growing issue that we feel has been negatively impacting communities all over the world. Model United Nations are often considered to be a tedious amount of work and some might even go far as to suggest that it is merely a chance to "dress up", we assure you it is anything but. We hope to see you well prepared as you debate the impacts and potential solutions of the problem of Child Marriages. It is up to you the delegates of this years UNICEF to be creative, innovative and pragmatic in your approach to tackle the issue.

We as the chairs have purposefully tried to make the committee more engaging and diverse for you as possible, hence all countries represented in this committee are those that are in some way relevant to the issue and have the potential to shape the outcome as well as provide the most diverse range of opinions.

We encourage you to seek help from this Holy Grail (Study Guide) however be aware that while it offers a wide range of ideas and information, it is not the only source of information you have access to. Feel free to research material outside of this guide if you feel that it will help your argument or position within the committee, it is highly encouraged to seek other background material to supplement your opinions with factual statistics. On that note we look forward to seeing you in our Committee, all dressed to achieve solutions.

Godspeed,  
Ibrahim Riaz & Mahmoud Altarifi

## Introduction

According to UNFPA, *“Child marriage is a human rights violation. Despite laws against it, the practice remains widespread, in part because of persistent poverty and gender inequality. In developing countries, one in every four girls is married before reaching age 18. One in nine is married under age 15. Child marriage threatens girls’ lives and health, and it limits their prospects. Girls pressed into child marriage often become pregnant while still adolescents, increasing the risk of complications in pregnancy or childbirth. These complications are a leading cause of death among older adolescents in developing countries.”*

Often these girls have no say in their future, being forced into these marriages they are deprived of their childhood and their aspirations. These marriages result from many factors which include socio economic pressure, lack of education and lawlessness in general. However, one must consider the government’s response and efforts to curb the situation as well. Generally, many of these marriages having safeguarded under the pretext of Culture Superseding which complicates the situation as it becomes a debate of cultural authority in the modern world.

## Definition of Key Terms

**Early Marriage :** Early marriage, or child marriage, is defined as the marriage or union between two people in which one or both parties are younger than 18 years of age. Parents often feel that a young girl is an economic burden and therefore wish to marry off their young daughters before they become an economic liability.

**Socio Economic Pressure:** Influence exerted primarily due to the existence of social or economic conditions or circumstances that affect the ability to decide in a situation.

**Age of Maturity:** The age at which a person is legally allowed to marry and is able to make decision for him/her/themselves and take responsibility for them.

**Child marriage:** A marriage in which at least one of the parties is a child. According to the Convention on the Rights of the Child, a child is “every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier”.

## General Overview

### What is the issue?

Forced and early marriage is a persistent problem that occurs mainly among young women and girls, although there are cases of young men and boys being forced to marry. Reliable

statistics on forced marriage are difficult to compile due to the unofficial and, therefore, undocumented nature of most forced marriages. Victims' resistance to speaking out against their typically "closed" families, or communities, poses another obstacle to reliable data. The absence of a birth certificate can also mean that the victim has no way of proving that they are a victim of child or early marriage. In 2003, the International Centre for Research on Women estimated that more than 51 million girls under 18 years were married and they expected the figure to rise to over 100 million within the next 10 years. Similarly, in 2006, experts estimated that 38 percent of young women aged 20-24 in the fifty least-developed countries were married before the age of 18.5 while forced and early marriages are becoming increasingly less common among the wealthiest sectors of society in all regions of the world, they are most common still in Africa and South Asia.

### **Religion**

Most religions, over history, influenced the marriageable age. For example, Christian ecclesiastical law forbade the marriage of a girl before the age of puberty. Hindu Vedic scriptures mandated the age of a girl's marriage to be adulthood which they defined as three years after the onset of puberty. Jewish scholars and rabbis strongly discouraged marriages before the onset of puberty, but at the same time, in exceptional cases, girls ages 3 through 12 (the legal age of consent according to halakha) might be given in marriage by her father. Some apocryphal accounts state that at the time of her betrothal to Joseph, Mary, the mother of Jesus, was 12–14 years old, but such accounts are unreliable. Some Islamic marriage practices have permitted marriage of girls below the age of 10, because Shariat law is based in part on the life and practices of Muhammad, the Prophet, as described in part in Sahih Bukhari and Sahih Muslim.

### **Civil law**

Although the general marriageable age is 18 in the majority of countries, most jurisdictions allow for exceptions for underage youth with parental and/or judicial consent. Such laws are neither limited to developing countries, nor to the state religion. In some countries, a religious marriage by itself has legal validity, while in others it does not, as civil marriage is obligatory. For Catholics incorporated into the Latin Church, the 1983 Code of Canon Law sets the minimum age for a valid marriage at 16 for males and 14 for females. In 2015, Spain raised its minimum marriageable age to 16 from the previous 14. In Mexico, marriage under 18 is allowed with parental consent, from age 14 for girls and age 16 for boys. In Ukraine, in 2012, the Family Code was amended to equalize the marriageable age for girls and boys to 18, with courts being allowed to grant permission to marry from age 16-years if it is established that the marriage is in the best interest of the youth.

### **Current situation**

Child marriage threatens the health and life of girls. Complications from pregnancy and childbirth are the main cause of death among adolescent girls below age 19 in developing countries. Pregnant girls aged 15 to 19 are twice as likely to die in childbirth as women in their 20s, and girls under the age of 15 are five to seven times more likely to die during

childbirth. These consequences are due largely to girls' physical immaturity where the pelvis and birth canal are not fully developed.

High rates of child marriage negatively impact countries' economic development because of early marriages' impact on girls' education and labour market participation. Some researchers and activists note that high rates of child marriage prevent significant progress toward each of the eight Millennium Development Goals and global efforts to reduce poverty due to its effects on educational attainment, economic, political participation, and health

Child marriage was also found to be prevalent among Syrian and Palestinian Syrian refugees in Lebanon, in addition to other forms of sexual and gender-based violence. Marriage was seen as a potential way to protect family honour and protect a girl from rape given how common rape was during the conflict. Incidents of child marriages increased in Syria and among Syrian refugees over the course of the conflict. The proportion of Syrian refugee girls living in Jordan who were married increased from 13% in 2011 to 32% in 2014. Journalists Magnus Wennman and Carina Bergfeldt documented the practice, and some of its results.

According to UNICEF, Africa has the highest incidence rates of child marriage, with over 70% of girls marrying under the age of 18, in three nations. Niger has one of the highest rates of early marriage in sub-Saharan Africa. Among Nigerian women between the ages of twenty and twenty-four, 76% reported marrying before the age of 18 and 28% reported marrying before the age of fifteen. This UNICEF report is based on data that is derived from a small sample survey between 1995 and 2004, and the current rate is unknown given lack of infrastructure and in some cases, regional violence

Major parties involved: United States: Child marriage, as defined by UNICEF, is observed in the United States. The UNICEF definition of child marriage includes couples who are formally married, or who live together as a sexually active couple in an informal union, with at least one member — usually the girl — being less than 18 years old. The latter practice is more common in the United States, and it is officially called cohabitation. European Union The general age of marriage as a right is 18 in all member states, except in Scotland where it is 16. When all exceptions are taken into account (such as judicial or parental consent), the minimum age is 16 in most countries, and in Estonia, it is 15. In 3 countries marriage under 18 is completely prohibited. By contrast, in 9 countries there is no set minimum age, although all these countries require the authorization of a public authority (such as a judge or social worker) for the marriage to take place.

### **Pakistan**

According to two 2013 reports, over 50% of all marriages in Pakistan involve girls less than 18 years old. Another UNICEF report claims 70 percent of girls in Pakistan are married before the age of 16. As with India and Africa, the UNICEF data for Pakistan is from a small sample survey in the 1990s.

### **India**

According to UNICEF's "State of the World's Children-2009" report, 47% of India's women aged 20–24 were married before the legal age of 18, with 56% marrying before age 18 in rural areas. The report also showed that 40% of the world's child marriages occur in India. As with Africa, this UNICEF report is based on data that is derived from a small sample survey in 1999.

### **Morocco**

In Morocco, child marriage is a common practice. Over 41,000 marriages every year involve child brides. Before 2003, child marriages did not require a court or state's approval.

### **Jordan**

The proportion of Syrian refugee girls living in Jordan who were married increased from 13% in 2011 to 32% in 2014.

### **Canada**

Since 2015, the minimum marriageable age throughout Canada is 16. Caribbean island nations.

About 29% of girls are married before age 18.

### **United Kingdom**

The marriageable age in the United Kingdom is 18, or 16 with consent of parents or a court order.

## Previous Attempts to Solve the Problem

States are increasingly taking legislative measures to address child, early and forced marriage. These include amendments to laws to raise the minimum age of marriage to 18 for both girls and boys, prohibition of child and forced marriage, sanctions against the perpetrators of child, early and forced marriage and implementation of compulsory registration of all marriages. The Syrian Arab Republic, for instance, reported that a ministerial committee, established to study articles in all Syrian laws which discriminate against women and children, had proposed amendments to the legal age and prevention of child, early and forced marriage. Sweden also reported that it was in the process of strengthening legal protection against forced marriage and child marriage. The Committees on the Elimination of Discrimination against Women and on the Rights of the Child have welcomed instances of such progress in their recent reviews of States parties' reports, including those of Albania.

## Potential Solutions

Potential Solutions should focus on legislation redefining the conditions for marriage, theoretically lead to an organization that allows people to share their experiences regarding such situations. The degree of government involvement is also another thing to be considered and government officials should be placed in positions to prevent such atrocities at the grass root levels. Side by side they should also be long term in the sense that they change attitudes and mindsets for the people involved ensuring that future generations don't make the same mistake. Financial frameworks should be in place to provide money for programs aiming at eradicating child marriages.

## Appendix

<https://www.icrw.org/child-marriage-facts-and-figures/>

[https://www.youtube.com/watch?v=7c\\_zppPutQw](https://www.youtube.com/watch?v=7c_zppPutQw)

<http://www1.adnkronos.com/AKI/English/CultureAndMedia/?id=1.0.2375314024>

[https://www.hrw.org/sites/default/files/reports/yemen1211ForUpload\\_0.pdf](https://www.hrw.org/sites/default/files/reports/yemen1211ForUpload_0.pdf)

<https://www.girlsnotbrides.org/states-adopt-first-ever-resolution-on-child-marriage-at-human-rights-council/>

<https://plan-international.org/sexual-health/child->

[marriage?gclid=EAIaIQobChMIv7KelvKR2AIV15EbCh014gpJEAAYASAAEgIQ](https://plan-international.org/sexual-health/child-marriage?gclid=EAIaIQobChMIv7KelvKR2AIV15EbCh014gpJEAAYASAAEgIQ)

[bfD\\_BwE](https://plan-international.org/sexual-health/child-marriage?gclid=EAIaIQobChMIv7KelvKR2AIV15EbCh014gpJEAAYASAAEgIQ)

[https://www.unicef.org/protection/57929\\_58008.html](https://www.unicef.org/protection/57929_58008.html)