

Assessing National Action on Protection from Child Marriage



The Convention on the Rights of the Child (CRC) commits nations to guaranteeing civil, political, social, and economic rights to children. This fact sheet series by the WORLD Policy Analysis Center examines the extent to which countries have enacted and passed laws and policies consistent with CRC commitments.

Background

- While the CRC does not explicitly address early marriage, nearly the entire Convention is relevant to its harmful consequences, especially the right to protection from violence (Article 19), the right to health (Article 24), the right to education (Article 28), and the right to protection from sexual exploitation and abuse (Article 34). The CRC Committee includes child marriage in its reports and recommends that countries adopt higher legal minimum ages and eliminate gender disparities in minimum age laws.
- Child marriage disproportionately affects girls, with nearly 700 million girls worldwide estimated to be married before the age of 18.
- Early marriage jeopardizes girls' health due to abuse, limited control over their own bodies and their sexual and reproductive health decisions, and early pregnancy and childbearing.
 - Women married before the age of 18 are three times more likely to have been beaten by their spouse than women married at age 21 or older
 - Maternal mortality for girls between 15 and 19 years old is twice as high as for women giving birth in their 20s, and for girls under age 15 it is five times as high.
 - Of the more than 15 million girls aged 15-19 in low- and middle-income countries that give birth every year, 90% are married.
 - In the first year of life, babies born to teenagers are twice as likely to die as babies born to women in their twenties.
 - Young mothers who survive childbirth more frequently suffer from debilitating and stigmatizing health problems due to higher rates of obstructed labor and fistulae.
- Cultural, legal, and family-related barriers often lead to education interruption for married girls. Evidence from several countries in Africa indicates that early marriage accounts for 12-22% of school dropouts among girls.

Findings

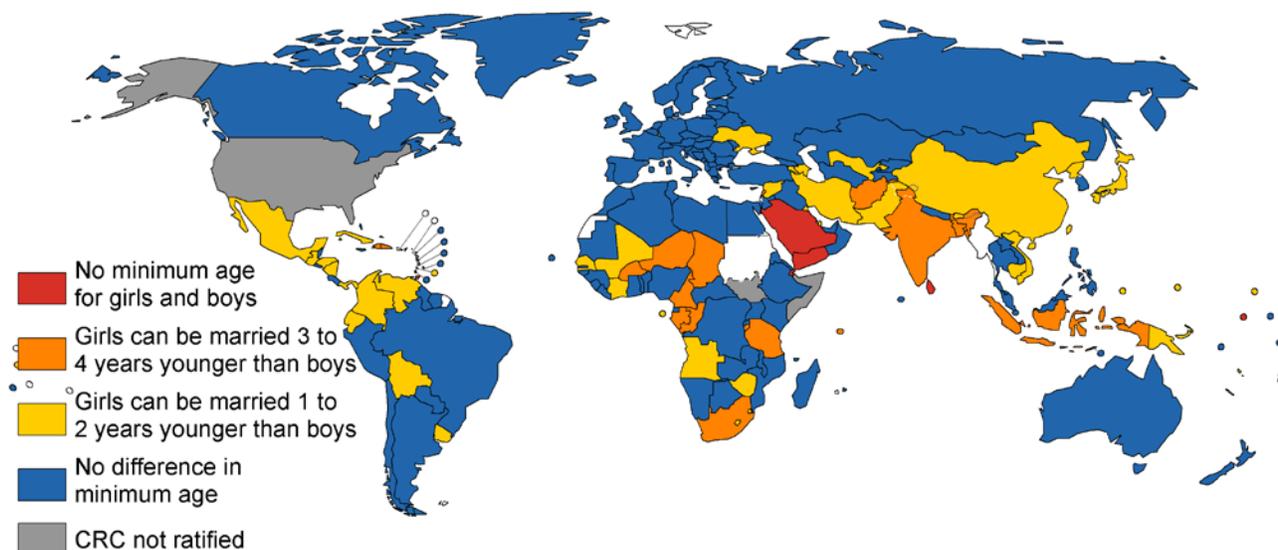
Increasing National Action on Early Marriage

- Together with McGill University's Maternal and Child Health Equity (MACHEquity) program, the UCLA WORLD Policy Analysis Center examined laws in low- and middle-income countries, and found that while in 1995, 4% of States Parties had no legal minimum age of marriage; only 1% did not in 2013.
- At the same time, the percentage of States Parties that established a legal minimum age of marriage of at least 18 years increased from 76% to 87%.
- When parental consent exceptions are considered, only 20% of States Parties set a minimum age of marriage of at least 18 in 1995 compared to 35% in 2005 and 47% in 2013.

Gaps in Protections

- While 88% of States Parties set a minimum age of marriage for girls of 18 years or older, most allow for exceptions with parental consent or under customary or religious law.
- Accounting for these exceptions, 15% of States Parties legally allow girls as young as 13 years old to be married and 30% legally allow marriage at age 15.
- Article 2 of the CRC calls on States Parties to protect gender equality, yet in nearly a third of States Parties, there is a gender disparity in the minimum age of marriage with parental consent.
- In 9% of States Parties, legislation allows girls to be married three or four years earlier than boys.

Map: Is there a gender disparity in the minimum legal age of marriage with parental consent?



Source: WORLD Policy Analysis Center, Child Marriage Database, 2014

Table: Legal Minimum Age of Marriage in Countries that have ratified the CRC

Level of Legal Protection	Girls			Boys		
	Age 13	Age 15	Age 17	Age 13	Age 15	Age 17
No restrictions	4 (2%)	6 (4%)	22 (12%)	3 (2%)	4 (2%)	8 (5%)
Can be married with parental consent and/or under religious or customary law	20 (12%)	44 (26%)	80 (45%)	15 (9%)	27 (16%)	61 (37%)
Only permitted with court approval and/or pregnancy	47 (29%)	47 (28%)	62 (35%)	47 (29%)	53 (32%)	72 (43%)
Marriage legally prohibited	91 (56%)	70 (42%)	14 (8%)	96 (60%)	80 (49%)	25 (15%)

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