



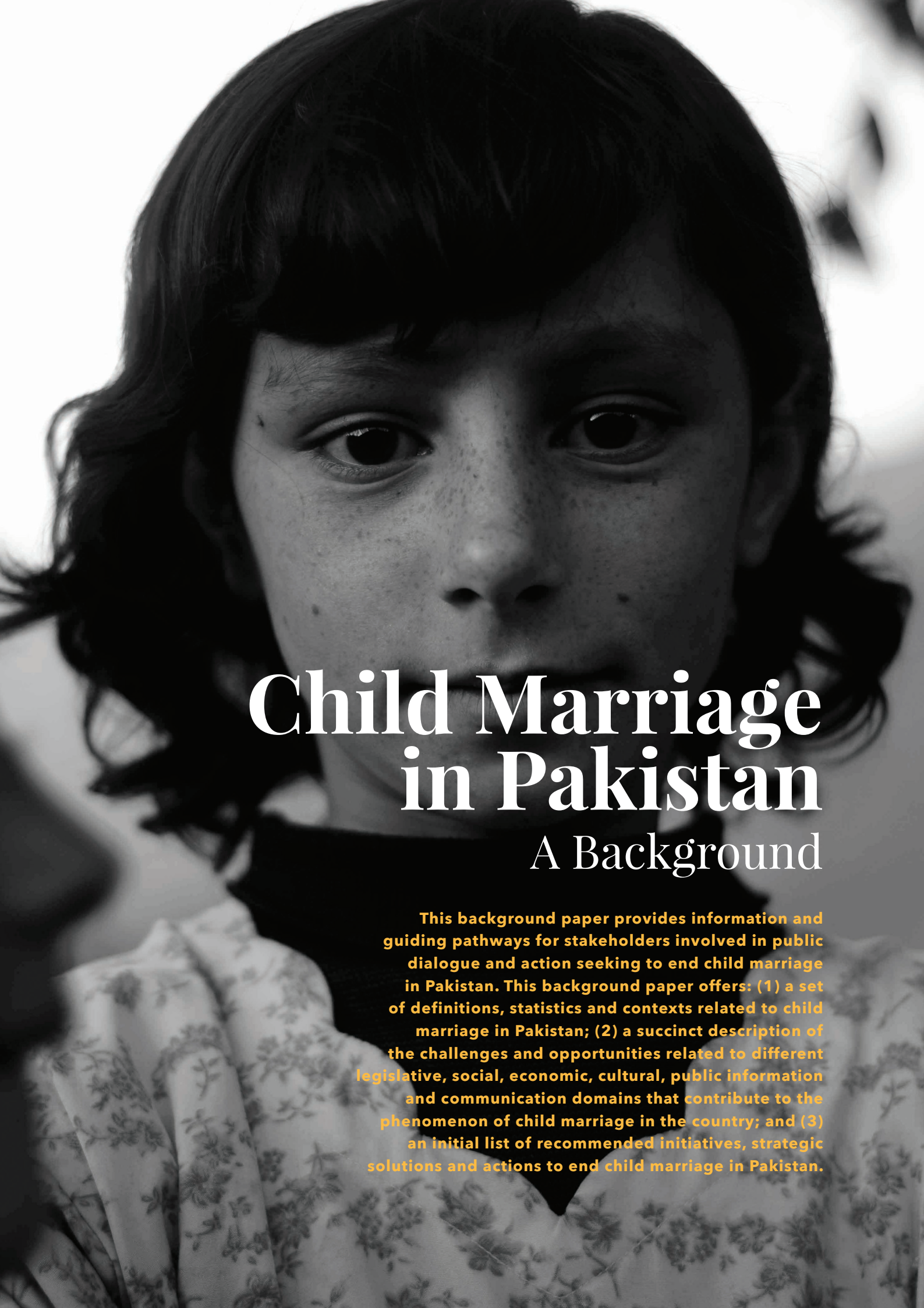
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The document is made possible by the support of AmplifyChange; the contents are the sole responsibility of Center for Communication Programs Pakistan (CCP) and do not necessarily reflect the views of AmplifyChange. The advocacy toolkits produced by AmplifyChange funded project promoting legislation / promoting action in the Child Marriage in Pakistan



Child Marriage in Pakistan





Child Marriage in Pakistan

A Background

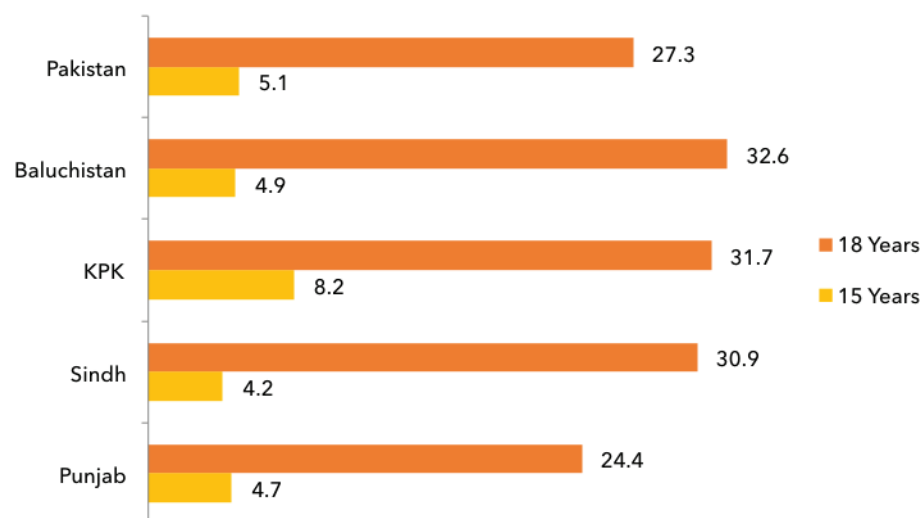
This background paper provides information and guiding pathways for stakeholders involved in public dialogue and action seeking to end child marriage in Pakistan. This background paper offers: (1) a set of definitions, statistics and contexts related to child marriage in Pakistan; (2) a succinct description of the challenges and opportunities related to different legislative, social, economic, cultural, public information and communication domains that contribute to the phenomenon of child marriage in the country; and (3) an initial list of recommended initiatives, strategic solutions and actions to end child marriage in Pakistan.

Introduction

According to the United Nations Convention for Elimination of Discrimination Against Women (CEDAW) (1979), child marriage is a formal marriage before the age of 18. This definition of child marriage is consistent with the United Nations Convention on the Rights of the Child (UNCRC) (1989), which defines a child as a person below the age of 18. Moreover, the Universal Declaration of Human Rights (UDHR) (1948) also recognizes the right to “free and full” consent to marry and says that a person must be mature enough to make an informed decision. Child marriage is a prevalent and universal problem: more than 700 million women alive today were married as children, and over one in three of these women were married before the age of 15. [1]

With 1,875,000 child marriages in a year, Pakistan has the sixth highest absolute number in the world. [2] Along with Afghanistan, Pakistan is one of the few remaining Muslim countries in Asia where the age of marriage for girls is still below the age of 18. In Pakistan, 21 per cent of women aged 20 to 24 were married as children. Even though Pakistan ratified both the UNCRC (1989) in 1990 and CEDAW in 1996, there is no overarching law in the country that either upholds the minimum age of marriage for both boys and girls, as being 18 years of age or defines a child as a person below the age of 18. Specifically, on the minimum age of marriage, Pakistan’s Child Marriage Restraint Act (CMRA) (1929) sets the legal age for marriage to 16 for females and 18 for males.

Figure 1. Age of women (percentage of women age 15-49) at first marriage in Pakistan [3]



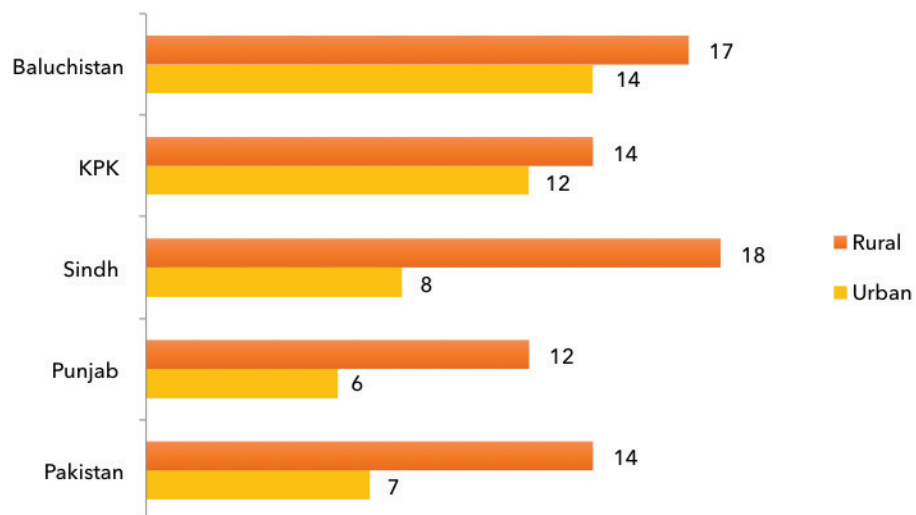
21 %

Pakistani women aged 20 to 24
were married as children

Marriage is regarded as a private subject in Pakistan's culture. It is also very difficult to get accurate data on the true extent of child marriages. This is because most marriages are not officially registered, and many parents resort to falsifying girls' ages. Such acts are made easier in rural areas, where access to birth registration is difficult and birth certificates are often non-existent or not properly recorded. There is also very little data on girls married before the age of 15. Available data are often outdated and fail to provide adequate information. The

latest national surveys show that among the provinces, Baluchistan has the highest percentage of girls married before 15 and 18, followed by Khyber Pakhtunkhwa. [4] Most marriages occur in rural areas, the highest being in Sindh followed by Baluchistan (PSLM 2013-14). In general, women with a higher wealth index are marrying more than four years later than those with lowest wealth index (PDHS 2012-13) and studies show that education also contributes to delaying marriage for boys and girls.

Figure 2. Percentage of women aged 15-49 years married early



Law

Pakistan has a complex set of constitutional provisions, statutory laws, customary frameworks, and sanctions related to child marriage. One of the main impediments to the modern legal provisions and legislative frameworks that protect children from being married is the parallel, sometimes contradictory, and inconsistent enforcement of the provisions of the Islamic law and statutory law. In the recent times, there were a few unsuccessful attempts to review, update and harmonise the legal and procedural provisions on child marriage. So far, there have been two federal attempts to increase the legal age at marriage for girls from 16 to 18 nationwide: in 2014 and 2017. Due to non-existence of institutional, communication and deliberation arrangements as well as the imbalances in the attribution of powers and accountabilities between the Council of Islamic Ideology and the executive and legislative powers of the state, the National Assembly rejected the amended bills of the Child Marriage Restraint Act on both occasions. In reaction to these efforts, the Council of Islamic Ideology, the constitutional body that gives non-binding Islamic legal advice to the Government of Pakistan upon request, issued a series of declarations ruling Pakistani legislative initiatives prohibiting child marriage as un-Islamic. A key legislative opportunity has been the Eighteenth Amendment of the Constitution of Pakistan in 2010, which has enabled provinces to independently review the minimum age at marriage. Only Sindh has so

far aligned the age of marriage for women and men at 18 years of age, under the Sindh Child Marriage Restraint Act of 2014. Punjab has passed a bill introducing harsher sanctions for marriage under the age of 16. However, the bill did not increase the age of marriage to 18. Punjab also did not make the offense cognizable like Sindh. Lack of implementation of law and inadequate systems are other factors why child marriages prevail.

National, regional and global actions, by a broad range of stakeholders, is crucial to creating a supportive environment that enables and promotes legislative amendments. In addition to hosting national public debates, Pakistan has been participating in regional and global advocacy forums. Pakistan is a member of the South Asia Initiative to End Violence Against Children (SAIEVAC). Pakistan is also one of the first countries that proposed setting the target to end child marriage by 2030, on the occasion of the Open Working Group on the Sustainable Development Goals. It is imperative that international and regional commitments are incorporated within domestic legislation.

Challenges & Opportunities

A range of challenges and opportunities determines the prevalence of child marriage in Pakistan. These can be organised into three inter-related areas: law, society and economy.

Society

The key societal drivers behind the prevalence of child marriage in Pakistan are social, class, cultural and gender inequalities. In addition, the structure and size of the family as well as the predominance of the values, norms, attitudes and practices specific to traditional types of family, kinship and communities are drivers of the actual magnitude of child marriage. It is worth mentioning that the value and status of the child in a traditional culture, where the parental authority is absolute, is defined by submissiveness. This is why the consent to marry is not considered or expected of a child. Any such demand is considered as a sign of disrespect to elders.

Notwithstanding its impact on boys, child marriage in Pakistan disproportionately affects girls. Parents and families are safeguarding the chastity of their girls, and minimising the risk that their daughters may bear children out of wedlock and bring shame to the family. If they fail to marry their daughters, parents and families may be marginalised (stigmatised) by the community or worse, their daughters or other family members may become the victims of violent attacks.

Table 1. Key elements of Pakistan's law on child marriage [5]

Legal Imperative	Found	Not found
Constitutional definition/protection/reference to marriage	✓	
Constitutional definition/protection/reference to family	✓	
Constitutional recognition of right to health*	✓	
Constitutional recognition/protection of gender equality/non-discrimination on the basis of gender/sex	✓	
Minimum legal age of marriage	✓	
Spousal consent to marriage		×
No exceptions to the legal age for consent to marriage		×
Assertion of primacy of statutory and/or case law over other forms of law		×
Assertion of primacy of international law over national law		×
Mandatory birth registration**		×
Mandatory marriage registration (union council)	✓	

*Not as a fundamental right

**Implemented with a national plan

Unequal gender norms and hierarchy are often considered the prime reason for the prevalence of child marriage. Greater value is attached to males than females, the desirable role and behaviors girls should play in life are prescribed and, in turn, the benefits of investing in girls' development and futures are discounted. Girls are more likely to be treated not equally to boys within households, including during food distribution (thereby affecting the nutritional status of girls). Pakistan is a patriarchal society where females are given mostly domestic duties to perform. In child marriages, girls are confined at houses that force them to leave their education and other opportunities. These norms and hierarchies place power into men's hands, allowing them to exercise this power over many critical events and decision-making processes. Child marriage also perpetuates gender disparity, and consequently females remain dependent on their male partners for their entire life.

In Pakistan, reliance on religion or interpretation of religious injunctions also perpetuates child marriage. Varying interpretations by religious leaders regarding child marriage, age of spouses and circumstances of marriage have made this problem more complex. Those who seek to justify child marriage on religious grounds argue that Islam permits marriage of children and it is considered a sin not to marry off a daughter who has reached puberty. A sizable section of religious leaders also propagates this view by justifying that it would reduce corruption in society. Illiteracy or lack of education among parents also perpetuates the practice, and it is often accentuated by poverty and limited economic opportunity and the lack of awareness about the consequences of child marriage on teen-aged girls.

An important way to address those social determinants hampering child marriage is to increase the efforts and develop the alliances of major stakeholders. These include federal and provincial government authorities, national and provincial assemblies/parliaments, representatives of the civil society, mainstream and social media, and local authorities. Also important are families, communities, community-based associations and customary leadership and religious scholars. This overall aim should be to initiate and foster the progressive social change - legislative, administrative, institutional - towards an inclusive and rights-based society for everyone, including for girls and boys and their families. While social change needs to happen locally, it can be effectively catalysed by national, regional and global action.

Available knowledge and evidence can also play a key role in socially preventing child marriage. There is a wealth of information and evidence regarding the impact social norms have on the attitudes, behaviours and practices of parents, families and communities regarding child marriage. This knowledge and evidence can particularly stimulate discourse in Pakistan's public spaces on the dominant attitudes, beliefs and customs that favour child marriage, and help identify ways forward to change these dominant patterns. This discourse should be wide ranging – seeking system-level changes at the economic, educational, cultural, administrative and civic of the country – and should recognise that creating an enabling environment for social change is a complex and a long-term process.

Economy

Economic inequality, very low economic upward mobility that translates into an overwhelming number of have-nots, and the impact of chronic poverty and exclusion are few of the driving forces behind families and communities choosing child marriage as one of their surviving strategies. In many cases, parents and families tend to marry their children in order to cope with economic poverty and social exclusion. Child marriage offers a range of economic incentives. The cost of marriage and any associated dowry is lower when a child is younger. Moreover, child marriage represents an exit from the parent's economic responsibility and a relief on the family's resources. Child marriage in Pakistan invariably involves the transfer of money as well as settlement of debts. Girls are particularly affected by economic hardship.

Girls living in poor households are almost twice as likely to marry before the age of 18 than girls from high-income families. In Pakistan, a girl is perceived as someone who cannot and should not leave the premises of the household to earn, and therefore is an economic burden. Similarly, there is considerable inequality between boys and girls with regard to access to education. Consequently, as low as 22 per cent girls eventually participate in Pakistan's labour force.[6] Families in poverty therefore often believe they have no alternative to girls' marriage. Low levels of education (children and parents) represent a major risk factor relative to child marriage. Although the majority of children in Pakistan attend primary school – 70 per cent boys and 62.3 per cent girls – only 52.2 per cent reach the graduation of primary education. Even fewer children enter secondary school, with only 39.7 per cent enrolment among boys and 29.2 per cent among girls. [7] Having relatively low rates of both primary completion and transition to secondary school, the majority of children in Pakistan are at risk of being married. Both girls and boys with a higher level of schooling are less likely to marry as children. Higher levels of education themselves lead to higher earning power, which in turn acts as an incentive within households to delay the age of marriage. Access to economic opportunities particularly impacts girls and young women, who largely participate in non-remunerative labor within the household, and who also do not have access to the family income.

Keeping children in school, for secondary education and after, is therefore a public policy to be implemented by the state with buy-in from parents, families, communities that significantly contribute to delaying the age at marriage. On-going education reform that advances school enrolment and participation, such as Pakistan's National Education Policy prepared under Education for All and Millennium Development Goals, therefore, offer significant opportunities to prevent child marriage and to enable eventual participation in country's economy, for both men and women, including adolescent girls and boys.

Child marriage results in denial of children's rights as well as pushes communities into the life-long social and economic disadvantages. It limits career opportunities, placing children in a vicious circle of poverty. Boys mostly face social and economic challenges. Child marriage forces boys out of school and into unskilled labor as a way to support their new families. Generally, boys are not in a position to bear the expenses of his newly-established family. Hence, he and his wife become totally dependent on the parents. When married as children, girls are ill prepared for their roles as informed mothers, and inadequately equipped to face livelihoods demands.

Child marriage in Pakistan invariably involves the transfer of money as well as settlement of debts. Girls are particularly affected by economic hardship.

Child marriage not only affects the physical health of the girl but also impacts the mental health of both boys and girls. Pregnancy related complications are the main cause of death for 15-19-year olds. In Pakistan, three-fourths of maternal deaths occur during delivery and the post-partum period. Pakistan has one of the highest infant mortality (78/1000) and under five mortality rates (94/1000) in South Asia. Infant Mortality Rate (IMR) is 116 per 1,000 for women who give birth before age 20, versus 75 per 1,000 for the children of women who give birth between the ages of 20 to 29.

A direct consequence of child marriage is early childbirth and greater vulnerability to related complications especially morbidities such as obstetric fistula, a childbirth complication due to obstructed labour when the tissues between a woman's vagina and her bladder or rectum are damaged from the continuous pressure from the baby's head stuck in the birth

canal. The dead tissue falls off resulting in a hole through which the woman continuously leaks urine or faeces or sometimes both), which leave girls in constant pain, vulnerable to infection and often shunned by their husbands, families and communities. There are generational consequences of marrying children at very young age, like weak infants, mother / children's health issues and higher chances of mortality. Not only the mothers but the offspring born too early in their mothers' lives are at increased risk of illness and death. Marriage of girls with already low nutritional intake in turn results in the low birth weight of their children.

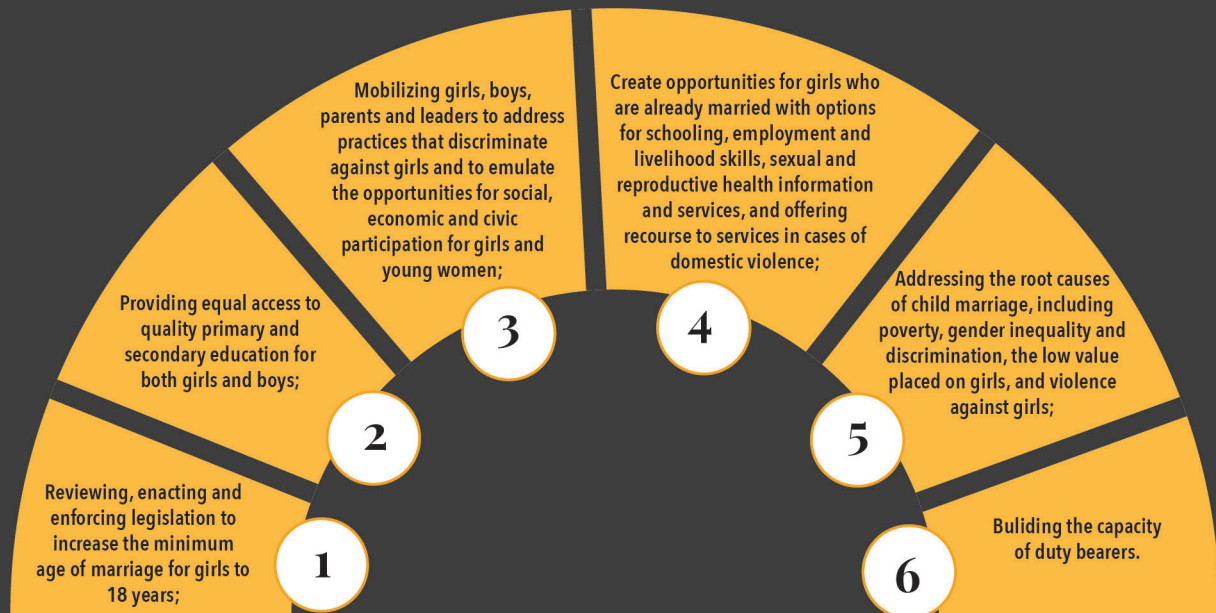
The imposition of marriage upon a young couple signals an effective end to their childhood or adolescence. For both girls and boys, child marriage has profound physical, intellectual, psychological and emotional impacts, cutting off educational opportunity and chances of personal growth. In addition, for boys, child marriage

brings increased financial responsibility early on. For girls, it often signifies an end to their individual will, aspirations, and plunges them into a cycle of early pregnancy, poor health, frequent-childbearing and, somewhere in between, the possibility of an untimely death.

Girls who marry as children are consistently likely to experience more violence, both verbal and physical, from their husbands than girls who marry later. The violence experienced by child brides does not only come from their husbands, as in-laws can also be abusive to girls, especially when the girl does not live up to expectations.

Strategic Approaches

Legal, social and economic determinants of child marriage need to be comprehensively addressed, by taking a holistic approach. During any public discussion or dialogue, the following five strategies to end child marriage can be considered.[8]



These strategies need to be viewed as 'guiding pathways' that could lead to a range of possible outcomes i.e. alternative policies, strategies and programmes. It is worth mentioning that any new policies, legislative and administrative frameworks need go co-opt existing and new initiatives that are relevant and viable, while synergising the involvement of a broad range of stakeholders working towards the end of child marriage. In other words, it is of paramount importance to make the end of child marriage an explicit 'national' priority, involving policymakers at federal, provincial, local levels, the community of journalists and media organizations, and the diversity of community stakeholders, including religious leaders.

End Notes

[1] Source: UNICEF, *State of the World's Children*, 2016

[2] UNICEF's *Ending Child Marriage*

[3] Source: *Pakistan Standard of Living Measurement 2013-14*

[4] *Pakistan Demographic and Health Survey 2012-13*

[5] Source: WHO's *Child, early and forced marriage legislation in 37 Asia-Pacific countries (2016)*

[6] <http://www.pbs.gov.pk/content/labour-force-statistics>

[7] https://www.unicef.org/infobycountry/pakistan_pakistan_statistics.html

[8] Source: WHO's *Child, early and forced marriage legislation in 37 Asia-Pacific countries (2016)*

A Brief on

Ending Child Marriage in Pakistan

The brief provides information and recommendations for policymakers seeking to end child marriage in Pakistan. This brief: (1) offers definitions, statistics and context related to child marriage in Pakistan; (2) describes the challenges and opportunities around law, society, and economy to end child marriage in the country; and (3) proposes recommendations specifically around legal reform, social change, and economic empowerment to end child marriage in Pakistan.

Child marriage is a formal marriage before the age of 18. Child marriage is a prevalent and universal problem, and it affects girls in particular. More than 700 million women alive today were married as children.[1] With 1,875,000 child marriages, Pakistan has the sixth highest absolute number in the world.[2] In Pakistan, 21 per cent of women aged 20 to 24 were married as children.

Challenges & Opportunities

A range of legal, social and economic challenges and opportunities exist for ending child marriage in Pakistan.

Law

Even though Pakistan has ratified international agreements on child marriage, there is no overarching law in the country that upholds 18 years as the minimum age of marriage for both boys and girls. Pakistan's Child Marriage Restraint Act (CMRA) (1929) sets the legal age for marriage to 16 for females and 18 for males. The key challenge to introducing new laws on child marriage or to reforming existing ones – such as CMRA – is resistance from religious leadership and religio-political institutions in the country. The Council of Islamic Ideology, the constitutional body that validates law-making by the

Government of Pakistan, has issued a series of rulings that declare Pakistani laws prohibiting child marriage as 'un-Islamic'. Due to this resistance, the National Assembly has rejected two efforts to increase the legal age for marriage for girls from 16 to 18 at the federal level in 2014 and 2017.

A key legislative opportunity to end child marriage in Pakistan lies in the Eighteenth Amendment of the Constitution of Pakistan (2010), which has enabled provinces to independently reset the minimum age for marriage. Only Sindh, however, has so far set the minimum age of marriage for males and females as 18 years of age, under the Sindh Child Marriage Restraint Act of 2014.

A birth certificate can provide protection against child marriage and safeguard a child's right to education, health and justice, and protection from child marriage. Pakistan, however, has a weak Civil Registration and Vital Statistics (CRVS) system. Today, only 34 per cent of children under the age of 5 in Pakistan are registered. This means that more than 10 million under-five children are still not registered.[3] This number increases by about 3 million unregistered births every year. [4] Pakistan, however, is working towards achieving universal birth registration by 2024, and if achieved, this could prove to be a major step towards ending child marriage in the country.

Society

Child marriage in Pakistan disproportionately affects girls. Child marriage is a traditional strategy used by parents to safeguard the chastity of their daughters. Parents believe that marriage during childhood minimizes the risk that their daughters may bear children out of wedlock and bring shame to the family. In Pakistan, as in many other Muslim countries, these concerns in support of child marriage are also uniquely framed and justified within religious beliefs. Child marriage also occurs because both parents and children in Pakistan do not have access to adequate information about the sexual and reproductive health and rights (SRHR). There is a strong social and cultural taboo, and therefore silence, around the issue of sexual and reproductive health in Pakistan. Young people are also brought up accepting parent's decisions without question. As a result, most children – particularly girls – enter marriage and pregnancy without any knowledge of the negative impacts of child marriage. Support to SRHR in the form of education, information and counselling for young people is essential; access to contraceptives, sexual and reproductive health care is uniformly weak in Pakistan, particularly in remote rural areas of the country. In order to address social challenges, Pakistan is taking part in regional and global advocacy to catalyse social change locally. Pakistan, for example, is a member of the South Asia Initiative to End Violence Against Children (SAIEVAC), and also one of the first countries to propose targets to end child marriage by 2030.

Economy

Poverty is also a major driver of child marriage in Pakistan. In Pakistan, 29.5 per cent of the population lives below the national poverty line.[5] Child marriage in Pakistan offers a range of economic incentives to parents and families in poverty. Since it reduces the number of dependents in a family, parents and families see child marriage as a financial relief. The cost of marriage, including any dowry, is also lower when a child is younger. Girls are particularly affected by economic hardship; coupled with societal gender hierarchy, the impact is evident in prevalent malnutrition in Pakistan. Similarly, a girl in Pakistan is generally perceived as someone who cannot work, and therefore an economic burden. Girls are therefore less likely to be given an education in comparison to boys. In Pakistan, only 28.9 per cent of girls attend secondary school, and only 22 per cent of girls eventually grow up to participate in the country's economy.[6,7] Keeping girls (as well as boys) in school, for secondary education and after, is therefore the most significant step that parents and families can take to delay a child's age at marriage. More broadly, poverty reduction is a key strategy to economically mitigating child marriage.

Fortunately, under the revised poverty line, poverty has reduced significantly in Pakistan. The current poverty head count of 29.5 per cent represents a significant decline from 64.3 per cent in 2002. Important contributors to this decline have been effective social assistance programs in the country, such as the Benazir Income Support Programme (BISP), the largest single social safety net program in the country, with nearly PKR 90 billion (\$900 million) distributed since 2008. The practise of child marriage consequently puts burden of the country's economy, specifically in terms of increased healthcare investments, including nutrition and low labour force participation.

Recommendations

The following are the recommendations to end child marriage in Pakistan.

Law

Given Pakistan's national and provincial laws are not consistent with each other, and there is still no unifying legal framework to integrate these various laws, it is essential that any legislative reform is preceded by a review of family and marriage laws and policies that discriminate against children - particularly girls - with the aim to achieve consistency and relevance across laws. An immediate priority is to support legislation - either amendment or new law - to increase the minimum age of marriage for girls to 18 years without any exception, and to strengthen enforcement, which at present is extremely weak across Pakistan. A key area for further review and development in the context of Pakistan is the existing civil registration systems, particularly those for birth and marriage registration. Enforcement should include training key government officials, judiciary, law enforcement officers and policy makers at all levels, on the law and related gender equity and human rights to support the effective administration of the law and related policies. Strengthening enforcement of legislation not only entails adequate administration but also classifying child marriage as a cognisable offence, that is giving the authority to make an arrest without a warrant and to start an investigation with or without the permission of a court.

Society

One of the key strategies to end child marriage in Pakistan is to mobilise and strengthen the capacity of parents and guardians, as well as communities, media and other stakeholders to change their attitudes and challenge the cultural and religious norms that perpetuate child marriage. The major role the traditional leaders, including religious leaders of different faith, play is crucial to conveying the benefits of ending child marriage while also identifying practical ways to make it happen. In addition, there need to be knowledge creation and public education efforts - including mass media campaigns - to end child marriage and uphold girls and women's rights. These efforts need to engage men, and also seek to highlight the responsibilities of parents, guardians and the community to protect vulnerable boys and girls. Given some of the existing social norms frequently feature coercion against girls and women, a key priority should be to combat all forms of violence against girls and women, especially sexual violence and abuse, through policies and programmes focusing on prevention, treatment, counseling and legal protection. It is also crucial to mobilise and build the capacity of children themselves. Individual girls, for examples, can be supported in developing strategies that allow

them to negotiate with families and resist child marriage. What children - girls and young women in particular - are able to do after child marriage is also important. It is therefore necessary to improve support for girls who escape child marriages through the creation of safety nets, such as the provision of shelters, education and health services that can address the specific needs and fears of married children.

Access to sexual and reproductive health information and services for girls and young women is also vital. It is important to note that access to these services should also be available to those who have been married as children. Girls and women should have access to family planning services and information, and specialist services and care (including obstetric care for fistula patients). More broadly, health and reproductive health programmes and departments should assume 'custodian roles' in the development and implementation of policies on child marriage in Pakistan. It is crucial to note that effectively responding to sexual and reproductive health challenges uniquely posed by child marriage requires specialized capacity building of health professionals. The health professionals, particularly frontline health workers, may act as influencers at the community level.

Economy

Just as higher-levels of education progressively exclude boys and girls from the prospect of child marriage, so does better access to future economic opportunities. To be sure, higher levels of education themselves lead to higher earning power, which in turn acts as an incentive within households to delay the age of marriage. The expansion and better delivery of national and provincial social safety net and poverty reduction programs, such as BISP, offer coherent actions to reduce child marriage. Providing targeted support for economic and livelihood opportunities, specifically for girls and young women, in rural communities is also crucial. This can help ensure that marriage is not seen as the only option available to poor families. This support can involve microfinance schemes specifically for unmarried girls and women, and job creation programmes, and technical and vocational education for unmarried as well as married girls and women.

Providing equal access to quality primary and secondary education for both girls and boys is crucial to preventing child marriage. School and marriage are often mutually exclusive in practice. This makes it crucial that children in Pakistan are enrolled into school and given opportunities to remain in or return to school, so that they can at least complete primary and secondary school. The immediate priority to ensure children complete higher levels of education is to enhance the quality of education, given poor quality of education is one of the main causes of drop out (for both boys and girls). This needs to be accompanied by the promotion of the right to education for all children. Improving gender parity for girls enrolling and attending school at both primary and secondary levels is also crucial. For this to happen, policies and programmes to improve school environments, and the safety and

retention of girls that have full support from teachers need to be developed and implemented. Addressing barriers within the school environment, including poor sanitary facilities and violence, and training teachers to deal sensitively with at-risk girls and provide advice to girls, and support parents to send girls to school, must be key elements of these actions. There is also an urgent need to review and amend school policies that discriminate against married and pregnant girls.

Conclusion

To end child marriage in Pakistan, a multi-pronged approach is required that involves all stakeholders. It is imperative to enact, enforce and standardise national and provincial laws increasing the age of marriage for girls to 18 years. This will enable girls and boys to have equal access to both education and health. We need to mobilise girls, boys, families, communities and local leaders to change practices that discriminate against girls and strengthen the capacity of legal, education and health professionals to protect girls and boys.

End Notes

[1] Source: UNICEF, *State of the World's Children*, 2016

[2] UNICEF's *Ending Child Marriage*

[3] UNICEF's *Birth Registration Progress Report 2013-2015*

[4] *Ibid.*

[5] <http://www.worldbank.org/en/country/pakistan/overview>

[6] https://www.unicef.org/infobycountry/pakistan_pakistan_statistics.html

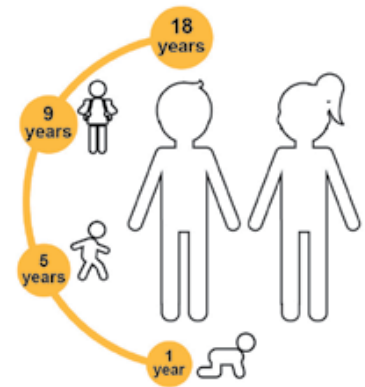
[7] <http://www.pbs.gov.pk/content/labour-force-statistics>

Facts speak louder than words

Child Marriage in Pakistan

WHO IS A CHILD?

According to the United Nations' Convention on the Rights of the Child (UNCRC, 1989), a child is a person below the age of 18. The Committee on the Rights of the Child, the monitoring body for the Convention, has encouraged all countries to review the age of majority if it is set below 18 and to further elaborate policies, legislations and institutional frameworks to increase the practicability and effectiveness of children's rights that impact development, welfare and wellbeing of all children up to 18 years old.



Fact 1

Pakistan ratified UNCRC in 1990, being one of the first countries in the world. Ratification represents the beginning of a historic process initiated by the State-Members to harmonize the domestic and international legal provisions and administrative and institutional practices.



Fact 2

The UNCRC definition of 'child' and the one prevailing in the Pakistani legal provisions are not yet harmonized. This gap has considerable impact on the rights of boys and girls to identity, participation, social welfare, and protection from any form of violence and exploitation.

WHAT IS CHILD MARRIAGE?

Child marriage is a formal marriage before the age of 18, according to the Convention for Elimination of Discrimination Against Women (CEDAW) (1979). Child marriage violates a child's inalienable rights to health, education and protection. The Universal Declaration of Human Rights (1948) recognizes the right to "free and full" consent to marry and says that a person must be mature enough to make an informed decision. The CEDAW Committee has set the minimum age of marriage as being 18 years of age.



Fact 3

Pakistan ratified CEDAW in 1996 and is also signatory to UDHR.



Fact 4

The 18th Amendment to Pakistan's Constitution from 2010 allows provinces to reconsider the minimum age at marriage. As of 2017/2018, only Sindh has set the legal minimum age of marriage at 18 years of age, both for women and men.



Fact 5

As of 2017, at the federal level in Pakistan, the minimum legal age to marry is 16 for females and 18 for males.

THE STATE OF CHILD MARRIAGE IN PAKISTAN

6th

Fact 6

With 1,875,000 child marriages, Pakistan has the 6th highest absolute number in the world. [1]



Fact 7

In Pakistan, almost one out of four women in the age group of 20 to 24 was a 'child bride'.



Fact 8

In Pakistan, nearly one third of all women are already mothers by age 20.[2]



Fact 9

Along with Afghanistan, Pakistan is one of the few remaining Muslim countries in Asia where the age of marriage for girls is still below the age of 18.

WHAT ARE THE DRIVERS OF CHILD MARRIAGE?



Fact 10

Pakistan's National Assembly has rejected in 2014 and 2017 legislative initiatives to increase the minimum legal age at marriage for girls from 16 to 18 nationwide.



Fact 11

For many parents and families in Pakistan, traditions and customary norms also determine values in their daily lives. Amongst others, two such norms are contributing factors of child marriage: family honour and dowry.



Fact 12

Some parents and families choose to marry their girls and boys because of economic hardship and due to the demographics such as large size of the family or household.



Fact 13

Lack of education is a major risk factor for child marriage: in Pakistan, only 34.6 per cent of boys and 28.9 per cent of girls attend secondary school. [3]

Child marriage limits job opportunities and women's access to and active participation as economic actors beyond the domestic economy.

WHAT ARE THE EFFECTS OF CHILD MARRIAGE?

Child marriage affects a child's right to health, education, and economic wellbeing.



Fact 14

Pregnancy and childbirth related complications are the main causes of death in Pakistan for mothers aged 15 to 19. [4]



Fact 15

116 children under one year of age die for 1,000 births by women under age 20. [5]



Fact 16

Only 22 per cent girls eventually participate in Pakistan's labour force as an adult. [6]

Child marriage hinders personal and social development. Moreover, it dramatically increases the status inequalities and gender, social and cultural discriminations. If child marriage was ended in Pakistan, it would reduce infant mortality, intimate partner violence, and food insecurity in the country, and increase education of girls, land ownership for women, and overall development of the country.

How can we end child marriage in Pakistan?

ACTIONS FOR POLICYMAKERS AND PRACTITIONERS

As a policy maker or a practitioner, we can work towards the following actions to end child marriage in Pakistan.

Support legislation to increase the age of marriage for girls to 18 years.

Enforce implementation of the legislation.

Provide both girls and boys with equal access to primary and secondary education.

Mobilize girls, boys, families, communities and local leaders to change practices that discriminate against girls.

Provide opportunities to girls who are already married to access different types of education, employment, legal and social protection.

Build the capacity of legal, education and health professionals for protection of children from abuse, exploitation and violence, particularly child marriage.

ACTIONS FOR JOURNALISTS

As journalists and media professionals, we can take the following actions to end child marriage in Pakistan.

Document and distribute comprehensive and reliable news on child marriage.

Represent children - girls in particular - with professional integrity and objectivity in order to counter the clichés and judgemental-values.

Offer nuanced and solution driven narratives on child marriage in the country's news.

Hold policymakers accountable for their actions, including law-making, on child marriage.

Influence local communities and leadership by producing news on local events.

ACTIONS FOR RELIGIOUS LEADERS

As religious leaders, we can take the following actions to end child marriage in Pakistan.

Speak out against child marriage during worship and religious events.

Participate in and hold community events to end child marriage.

Create dialogue and coalitions to end child marriage in Pakistan.

Influence decision-makers to help end child marriage in Pakistan.

Do not solemnize under age marriages.

End Notes

[1] UNICEF, *State of the World's Children*, 2016

[2] 2012-13 Pakistan Demographic and Health Survey (PDHS)

[3] Ibid.

[4] https://www.unicef.org/infobycountry/pakistan_pakistan_statistics.html

[5] 2006-07 Pakistan Demographic and Health Survey (PDHS)

[6] <http://www.pbs.gov.pk/content/labour-force-statistics>