

Shattered Dreams

THE VOICES OF BRIDES AND BRIDEGROOMS

Prepared for:

SHIRAKAT

Partnership for Development



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1. The idea behind the research

Shirakat – Partnership for Development, a women-led national organization has been working on gender justice, women and child rights, economic justice and climate justice in Pakistan for the past 17 years. During implementation of its sustainable livelihoods and youth leadership programme, the staff had the opportunity to meet with over 30 thousand young women and men in all the provinces of Pakistan.

We were struck to find that almost over 12% of the young women and men we met with, had been married early. Conversations revealed that most of the young men had been informed of their marriages being planned and had given their consent. They shared that they were excited about the event because of the festivities around the marriage ceremony and because they felt that their status in the family will improve; they will no more be scolded by their elders. However, they said they had no idea of the responsibilities that will come with the marriage; earning for their wife and children. A number shared that they had to quit school and many were working as wage laborers or in other low skilled occupations and regretted the decision of marrying at an early age.

Young women on the other hand had not even been asked by the family whether they wanted to get married or not. They were told that their marriage had been planned. Happy with the prospect of getting new clothes, jewelry, celebrations where all of their friends could participate, they agreed to the match. Life after marriage, they said was full of hard work as they had to shoulder many household responsibilities and chores. Managing multiple roles of household and a mother sometimes became very tiring.

It dawned on us that in essence all early marriages in Pakistan could be termed as forced marriages as even where the consent was sought, the consent was not a real consent in legal terms as the children were under age and they could not fathom the full implications of early marriage.

This research is an effort to listen to the women and men who had to go through the early marriage experience.

Our heartfelt gratitude to Amplify Change for the financial support provided for the research. I must also acknowledge the efforts of Dr. Imran from the Open University Islamabad for delivering the quantitative survey which provides the backbone for the research. The research team has indeed been very committed and professional.

Bilquis Tahira

Shirakat – Partnership for Development

2. Executive Summary

There are two aspects to the phenomenon of Child Early and Forced Marriages (CEFM). A child marriage is where at least one party is under 18 years of age; forced marriage is where at least one party has not fully expressed their free consent. Child marriages are forced marriages, and a violation of Universal Declaration of Human Rights 1948 and International Covenant on Civil and Political Rights 1966. Child marriages (CEFM) severely impede the achievement of all development goals e.g. SDG 5.3 ‘*to eliminate all harmful practices such as child, early and forced marriage and female genital mutilations*’ in particular. According to UNICEF (2018), South Asia carries the greatest burden of CEFM with 44% girls and boys being married before the age of 14. In Pakistan 14% of girls get married before 18 and overall age at first marriage is still low plaguing the society with the many negative consequences. Archaic and inhumane cultural practices like *watta satta*, *pait likhi*, *addo baddo*, *swara/khoon baha/vani/sakh* and marriages with the Holy book Quran still prevail in rural and tribal areas of Pakistan. In the impoverished regions of rural Sindh, young girls are sold to older men in exchange of money in the guise of marriage. The primary legislation related to CEFM in Pakistan is Child Marriage Restraint Act (CMRA 1929) according to which the minimum legal age for marriage is 16 for girls and 18 for boys, even though provincial variations exist. Despite legislation, CEFM continues to persist and even though penalties exist, hardly any cases are registered. In instances where complaints are lodged successfully against child marriages, it becomes an uphill task to ascertain the true age of the child because of lack of birth registration (42%). Another concerning drawback in the current legislative regime is differences in how a child is defined in various laws.

To eradicate the practice of CEFM as outlined in the 2030 Agenda for Sustainable Development, and rebuild the momentum that was lost recently in the country is the need of the hour. To this end, this research effort by Shirakat is aimed at not just understanding the current prevalence and effects of CEFM phenomenon in a quantitative way but also delve deeper into the lived experiences of victims of CEFM as well as views of other relevant stakeholders such as teachers, parents, nikah registrars, and representatives from the civil society and concerned government departments through qualitative tools. The data for the report was collected from ten districts from all over Pakistan.

2.01 Major Findings:

Results from the quantitative survey showed a 10.87% **prevalence** of CEFM in the sample with 76% happening in rural settings; 18% in females compared to just 3.3% in males, indicating gender disparities. When exploring customary marriages, the highest prevalence was found for *watta satta* i.e. 49 % of CEFM marriages were *watta satta* marriages in the sample. The highest rates of child marriages were found in Dera Ghazi Khan and Mardan districts.

The study also explored **socioeconomic reasons** for CEFM cases. The highest number of respondents (70 %) said it was a tradition to marry at an early age in their family while 42 % of the families were not considered financially stable at the time of marriage. Not surprisingly, the results show that 70% of the fathers and 81 % of the mothers of children forced into CEFM had never attended school. Moreover, 52 % of those who had child marriages themselves had never attended school even though, in the total sample only 27.5 % had never attended school. Lack of interest or poor performance in academics was another reason explored via interviews that exacerbates CEFM probability as girls in particular were

considered to have no other purpose in life. The qualitative inquiries revealed that poverty, specifically considering daughters as economic burden, fewer resources to support healthier alternatives for girls such as schooling and labor force participation, social fabric, traditional beliefs and community norms, lack of education and awareness of laws, low social status of women were the main drivers of child marriages. Moreover, early marriages were also used as a safeguarding strategy by parents to prevent girls from social evils in this age of social media proliferation. This was more emphasized for girls' in terms of patriarchal chastity norms where a girl's virginity is highly valued and where any form of premarital relation can bring potential disgrace to the family. Having a male guardian in the form of a husband renders a girl safe and hence better off, decreasing the odds of sex without marriage in parents' opinions. Other key drivers of early marriage mentioned though in less frequency included marrying at puberty as per shariah, poor law enforcement mechanisms, less eligible proposals as girls age, preference for younger brides as they were considered to be more obedient and marriage being viewed as pathway to independence from parental problems/household problems. Similarly, only one CSO representative stated that for some girls, early child marriage may be their way to escape household violence, gaining some social status in society or their way of having children and a family to love.

Our findings revealed that when it comes to consent of child bride or groom, the supremacy of parents' or guardians' decision took priority and consent of the child bride or groom was hardly ever sought in true sense. Majority respondents further shared that that even if the community was in disagreement with the age of marriage (which was a rare case), no one voiced out concerns publicly or interfered in the family's personal affair. The quantitative data also depicted that awareness of legal age of marriage was more in those who got married above 18 years of age versus those who didn't, live in urban areas versus rural areas and males versus females. This difference was statistically significant. Similarly, greater percentage of respondents who got married above 18 years of age had read their nikah-nama as compared to those who got married under 18 years of age. Less percentage of rural respondents and women had read their nikah-nama at the time of marriage than their urban and male counterparts respectively and these differences are also statistically significant. Same findings were observed for awareness of haq-meher, and registration of nikah.

Majority of the **community stakeholders** such as LHWs were **aware of the legal age of marriage** of 16 in KPK and 18 years in Sindh. Teachers on the other hand were relatively less aware and quoted broad age ranges instead of a single legal age for marriage.

Victims of CEFM were also asked about whether they were aware of or had received any guidance on responsibilities and sexual relations associated with marriage through in-depth interviews. Majority of the respondents confirmed affirmative for the first with guidance being centered around fulfilling marital responsibilities, household chores, caring for husband staying silent in case of conflict and respecting in-laws. Respondents clearly stated that they had not received any guidance on sexual and reproductive health and that it was something that they had learnt about with experience.

Overall, in the quantitative household survey, **28.5 %** respondents think that ideal age for girls to be married is under 18, while 72 % think it is under or equal 20. Alarming, findings showed that majority of the marriage registrars interviewed in Sindh, believed that according to Islamic law marriage could be legalized as soon as both the girl and boy hit puberty and that this law could not be amended.

The qualitative aspect of the study showed a shift in perspectives as victims of CEFM quoted ages between 20-28 as ideal age for marriage. Same sentiment was communicated by community stakeholders such as LHWs, Teachers, CSO representatives, and provincial stakeholders. Government representatives added that provinces where legal age of marriage for girls is still 16 need to amend their laws as this is pure gender discrimination.

When respondents were asked for the biggest advantage of early child marriages, 31 % said it's good to have kids at an early age. Same opinion was shared in in-depth interviews and focus group discussion. Furthermore, 30% said early marriages help fulfill the responsibility given by religion. For the biggest disadvantage of child marriages, 35 % said immaturity towards relationship and 30 % said that poor health of mother is the biggest disadvantage of early child marriage. 22 % respondents reported inability to continue education is the biggest disadvantage; whereas only 13 % said that inability to continue work is the biggest disadvantage. Findings from qualitative aspect of the study corroborate with the quantitative data showing that most of the respondents expressed wishes to become doctors, teachers, engineers, businessman among other professions but could not fulfil these aspirations as they got married. Most respondents regretted not completing their education and pursuing their careers. Only in rare cases, respondents had the motivation to complete their education after marriage.

In line with the quantitative data, post-natal poor health outcomes were identified as the most adverse risks of CEFM. LHWs in particular stressed upon the fact that young girls are often anemic, unaware of a healthy diet, are unable to seek timely medical care which leads to poor birth outcomes such as premature birth and low birth weight among others. Being so young, they lack decision making skills and confidence to raise their children well. Only one LHW in Sindh, also highlighted the disruption in education as a risk of early child marriage and two LHWs in KPK also raised concern on the risk of gender based violence particularly physical or sexual intimate partner violence at the hands of their husbands or in-laws if they are unable to fulfill their marital duties. Teachers' raised concern in the ability of young girls to fulfil household responsibilities, raise children well and their risk of facing domestic violence when failing to do so. One teacher summed up the risks in one phrase "lost childhood" where girls who are supposed to be studying and playing are now delivering and raising child after child.

When interviewed, respondents shared their immature fantasies about marriage at such a young age and how far from reality their perceptions were of life after marriage and the responsibilities associated with it. Some respondents also added that early marriage also meant they were unaware of their reproductive health and reproductive health rights which led to a trauma on its own. Teachers highlighted mental health impacts and stated that in such cases there is mostly lack of understanding and communication between the couple. It was interesting to see that this was more the case for female respondents as compared to males. None of the respondents reported intimate partner violence but did share conflicts particularly due to finances, lack of trust and inability to fulfill responsibilities.

Marriage registrars also discussed the disadvantages of early marriage on boys stating that early child marriage not only disrupts the boys' education but also results in additional economic pressure in the form of providing for the household. Due to limited education opportunities for them, career advancement is also limited and often result in unemployment and drug abuse. In addition, one marriage registrar quoted that in his experience the ratio of successful early child marriages was very low and such fragile marriages also tend to have an adverse impact on the children.

Even though a high percentage of CEFM cases reported they were willing to get married, this finding must be viewed skeptically given the research settings. Nonetheless, the low percentages of those who wanted to study or work more does show the overall aspirations of individuals which are far from productive. Instead, the high percentage of individuals wanting to have children earlier into marriage (i.e. less than 2 years) in a way corroborate that maybe individuals fantasize marriage and kids more than having education or career.

Even though a healthy percentage (82%) of CEFM respondents expressed their wish to get their daughters educated before marriage, only 39 % said they want their daughter to work and hence earn before marriage. When asked about their aspirations for their children, greater percentage in rural areas preferred early marriages for both sons and daughters. It was interesting to see that respondents' from Batagram particularly were pro early marriage even if their own marriage had been unsuccessful, which reflects deeply embedded cultural norms. In the total sample, only 39 % of CEFM respondents said they'd chose to get married at the same age again—a number that may be underreported because of the interview setting and the cultural norms.

The research also attempted to understand decision making dynamics for women. It was interesting to see that the percentage of women who could decide themselves about whether they could start or continue education, seek employment or continue work, whom and when to marry was not just low (approximately 10 percent) but also statistically the same between both CEFM and non-CEFM women. However, a promising finding was that more women who had an early marriage can take the decision to use birth control as compared to those married above 18. Furthermore, women had better autonomy for every day decisions. However, women who could decide themselves regarding their kids' education was not just less overall; but also those had CEFM are at a severe disadvantage for such decisions. This difference further supports the idea that a child bride is too young to be given much decision-making power for their kids' education.

To understand marriage outcomes: only 14 % responded were able to study as compared to 29 % who wanted to study. 19 % of CEFM respondents reported they were earning when they got married and 74 % said they were able to meet home expenses. However, 39 % said they required debt to cover expenses and 34 % said there were disputes over home expenses. Similarly, findings from the qualitative data showed that as a consequence of not being able to complete their education due to early child marriage, most respondents reported impacts on their economic well-being. Male respondents stated that lack of educational attainment meant that they got low paying jobs which meant it was difficult to meet expenses after marriage.

The questions on mental health outcomes show that roughly 40 % of the CEFM respondents had felt sad or isolated from their families or friends post marriage; whereas 58 % of respondents reported they had enjoyed life and life events more with their spouse because of tying the knot earlier in life which is another dimension of CEFM, generally ignored. Approximately one third respondents had faced abused either from spouse or in-laws. Sexual abuse from spouse was reported by only two respondents. Majority of the female respondents reported that being underage at the time of marriage meant they lacked confidence and felt scared of expressing their concerns. Many respondents reported being bullied at the hands of husbands and in-laws. Some of the words that frequently appeared in responses to this question included anxiety, worry, suffocation and loneliness.

Not surprisingly, more CEFM mothers were anemic, underweight and had complications during pregnancies in general. Mothers who didn't have an early marriage reported higher percentages of receiving all essential components of ANC. Together these two findings reinforce the prevalence of poor health of CEFM mothers: they are not only at a disadvantage to begin with, but also disproportionately treated during pregnancy. Overall, 52% women stated they were informed about family planning in detail. Greater women in the CEFM group also reported being prescribed multivitamins post-delivery indicating malnourished state due to early pregnancy.

2.02 Way Forward:

The real achievement of this research activity will be to understand ground realities of child marriages prevalence in Pakistan and suggest practical and relevant policies keeping in purview the prevalent norms. The biggest problem is the implementation of the law. Lack of awareness of this issue as well as the Child Marriage Restraint Act in the public was highlighted as one of the key challenges to implementation of child marriage laws. In addition, marriage being a private affair further impedes the progress in timely reporting of CEFM. For provinces where the child marriage law was 16 years, stakeholders highlighted the legislation was contradictory to the requirement of the child bride having an ID card since CNIC is issued at the age of 18. Furthermore, the representatives highlighted that while laws existed, on ground implementation was non-existent owing to the weak and underperforming law enforcement machinery. The issue of 65-70% children being un-registered at birth was also raised as a challenge as it makes it difficult to verify age at the time of marriage registration.

All stakeholders stressed on the need for gearing up rigorous advocacy and sensitization efforts within communities. One provincial stakeholder suggested that for proper implementation it is necessary that laws are drafted after thorough research in context of Pakistan to gain acceptance from the public and actually have impact. Also, when laws are passed, capacity building initiatives for the different levels of implementation need to go in tandem. For instance, while significant efforts had been made on ending early child marriages by CSOs, the general sentiment across this stakeholder group was that they could only create awareness, advocate, generate data, or provide legal aid but could not hold the law makers and policy implementers accountable.

All LHWs and teachers agreed that as an influential member of the community it was their responsibility to make efforts to end early and forced child marriage. However, they specified that these efforts could only be limited to providing information on adverse impacts of early child marriages, motivating students to excel academically and continue their education in the community. Teachers also mentioned that schools could be used as avenues to educate children especially girls of the legal rights including marrying with their own free will and consent. Both teachers and LHWs, however, stated that if parents had already decided, there was little they could do to intervene.

All stakeholders were of the view that a holistic approach needed to be taken by engaging them all. They specified that police, marriage registrars, lawyers, judges, community members, religious and political leaders, health care workers, teachers, NGOs/CBOs needed sensitization, capacity building and a framework for more coordinated and concerted action instead of working independently in siloes. It was also discussed that Women Development, Commission on the Status for Women and Human Rights Commission should join hands to address the issue and district level governance needs to be strengthened. In addition, teachers were recognized as another key resource to take this agenda forward

especially those in secondary schools as that is when risk of early marriage begins. Developing tools for community partners and using alternate mechanisms for sensitization such as mobile cinemas to get information out in the communities and life skills based education program can be considered as further tools to address the problem. It was also acknowledged that a lot of work had been done for a push for policy change under the influence of the global donor community. However, very little change was seen on the ground even 10 years after policy change. The respondents said that even if the age at marriage had seen a rise, it was heavily weighted on age at marriage in urban areas while it remained stagnant in rural areas.

There is thus a consensus that only policy change can be ineffective unless it is backed up by social behavior change communication through community driven projects, different forms of media, affordable and accessible health and education as well as skill development and economic empowerment of women. The need of the hour is strong advocacy on raising the age for marriage from 16 to 18 in Punjab and other provinces, policies and programs targeted to areas and population sub-groups that lack in basic knowledge regarding marriage processes and their rights.

3 Introduction

3.01 Marriage: An Important Institution:

All around the world, marriage is considered a moment of celebration and an important milestone for an individual. It goes without saying that marriage is a universal social institution that has far-reaching implications about how our society works, grows, allocates resources as well as how an individual evolves over his lifetime. However, there are certain caveats to marriage being a ‘beneficial’ institution for the society; violation of which can cause severe negative externalities. An individual needs physical ability as well as psychological maturity for a marriage to reap the desired benefits¹, not just for the individual but also for the society.

3.02 Child Early and Forced Marriage (CEFM):

A child is defined as an individual under 18 years of age². Child marriage, or early marriage, is any marriage where at least one of the parties is under 18 years of age. Forced marriages are marriages in which one and/or both parties have not personally expressed their full and free consent to the union. A child marriage is considered to be a form of forced marriage, because one and/or both parties have not expressed full, free and informed consent³.

¹ Bicer & Ozcebe, 2013

² <https://www.unicef.org/child-rights-convention/convention-text-childrens-version>

³ <https://www.ohchr.org/EN/Issues/Women/WRGS/Pages/ChildMarriage.aspx>

Child marriages are regarded as a clear violation of the **Universal Declaration of Human Rights 1948 and International Covenant on Civil and Political Rights 1966**⁴. These marriages are usually forced, and hence an exploitation of individuals. Stemming out of poverty, illiteracy, unhealthy cultural practices, lack of awareness, patriarchal mindset, poor law enforcement, and risks of sexual violence; and leading to a never-ending cycle⁵ of higher population growth, compromised human capital (due to poor nutrition, health, low education attainment and less labor force participation) further reinforcing intergenerational poverty; child early and forced marriages (CEFM) severely impede the achievement of all development goals. In particular, CEFM fall under the ambit of Sustainable Development Goal (SDG) 5.3: *‘to eliminate all harmful practices such as child, early and forced marriage and female genital mutilations’*. Furthermore, there are SDG 16.1, 16.2, and 8.7 which are relevant and further reinforce the commitment to end CEFM. SDG 16.1 calls for *‘significantly reducing all forces of violence and related death rates everywhere,’* and 16.2 similarly calls for *‘ending abuse, exploitation, trafficking and all forms of violence against and torture of children.’* As CEFM is a form of sexual and gender-based violence (SGBV), the eradication of CEFM is integral to the achievement of both SDG 16.1 and 16.2.

The experience of COVID19 pandemic and the increased frequency and intensity of climate related disasters are new channels that may undo the progress made so far for eliminating CEFM. As an aftermath of the pandemic, up to 10 million more girls are at risk of becoming child brides; speculating higher expected incidence of CEFM in the near future.

3.03 Stats around the World:

Child marriages disproportionately affect girls than boys all over the world. 650 million females alive today had been married as a child⁶. The past two decades have witnessed international and local efforts to address CEFM directly as well as the root causes that indirectly lead to CEFM. UNICEF (2018) reports a decline from 25 % to 21 % in the global prevalence of CEFM in a decade; but huge regional variations exist.

⁴ Nasrullah, 2013

⁵ Economic Impacts of Child Marriage: Global Synthesis Report, By Quentin Wodon, Chata Male, Ada Nayihouba, Adenike Onagoruwa, Abouduhyme Savadogo, Ali Yedan, Jeff Edmeades, Aslihan Kes, Neetu John, Lydia Murithi, Mara Steinhaus and Suzanne Petroni; CONFERENCE EDITION JUNE 27, 2017, Education Global Practice, World Bank, Washington DC, USA and International Center for Research on Women, Washington DC, USA

⁶ <https://www.ohchr.org/EN/Issues/Women/WRGS/Pages/ChildMarriage.aspx>

Table 1: Global Prevalence of CEFM	
Region	Global Burden of CEFM (%)
Sub-Saharan Africa	18
South Asia	44
East Asia and Pacific	12
Latin America and Caribbean	9
Middle East and North Africa	5
Other Regions	12

Source: UNICEF, 2018

The gravity of the phenomenon can be assessed from the fact that in South Asia, girls belonging to the poorest quintile are four times more probable to become child brides as compared to the richest counterparts⁷. Bangladesh, Afghanistan, Nepal and India are hot spots for child marriages⁸. A right mix of further research, informed policies, and immediate and holistic efforts are the need of hour to eradicate the practice of CEFM as outlined in the 2030 Agenda for Sustainable Development.

3.04 Pakistan - Current Scenario and Major Indicators:

Pakistan has seen substantial progress on several development fronts ever since it came into being. For instance, a decrease in population growth rate from as high as above 3 % in 1980s to 2 % in 2020⁹, an increase in the age of marriage among women (from 13.3 in 1950 – 1959 to 23.1 in 2006 – 2007), improved maternal mortality rates¹⁰ and infant mortality rates¹¹. Nonetheless, CEFM is a widespread phenomenon in Pakistan, affecting girl child more than boys.

Data consistency issues make an over-time comparison and rigorous analyses difficult. In a study¹² that critically evaluates different sources of data and report on CEFM in Pakistan, the authors highlight the discrepancies in data sources and sampling strategies, concluding that the Pakistan Demographic and Health Survey (PDHS) is the only nationwide source of reliable data to assess the CEFM situation in

⁷ UNFPA, 2012

⁸ Naveed & Butt, 2015 & <https://www.unicef.org/rosa/what-we-do/child-protection/child-marriage>

⁹ <https://data.worldbank.org/indicator/SP.POP.GROW?locations=PK>

¹⁰ Maternal mortality ratio (MMR) in Pakistan has decreased from 276 deaths per 100,000 live births as per Pakistan Demographic and Health Survey of 2006-7 to 186, according to the latest Pakistan Maternal Mortality Survey (PMMS).

<https://pakistan.unfpa.org/en/news/maternal-mortality-decreased-186-deaths-100000-live-births>

¹¹ Infant Mortality Rates in Pakistan have decreased from 185 per 1,000 live births in 1960 to 54 per 1,000 live births in 2020. <https://data.worldbank.org/indicator/SP.DYN.IMRT.IN?locations=PK>

¹² *Child Marriages in Pakistan: Issues of Sampling, Representativeness and Generalization* by Munir Ahmad Zia, Safdar Abbas, Dr. Fauzia Saleem Alvi, Noman Isaac and Sidra Maqsood, (2018)

Pakistan. According to PDHS (2017 – 2018), **29.3%** of women aged 25-49 were married by age 18 and **7.5%** were married by age 15. Between 2012-13 and 2017-18 the percentage of women who were married by age 18 declined from **35%** to **29%**. Same trends are reported in UNICEF Situation Analysis of Children in Pakistan, 2017. The report states that approximately 14% of young women aged 15-19 are currently married which is similar to what PDHS 2017-18 also states i.e. currently married women in the ages of 15-19 is reported to 13.5 %.

The incidence of child marriages is the highest in the poorest wealth quintiles and rural regions of Pakistan. Of women aged 15-19: 15¹³ % were married in rural Sindh, and 18.8¹⁴ % in KPK, 10.5 % in Punjab with districts in Southern Punjab having higher prevalence of CEFM than districts in Northern Punjab. Despite gradual progress, the overall age at first marriage in Pakistan is still low as compared to advanced nations and keeps plaguing the society with the many negative consequences such as public health deterioration, unchecked population growth, poor quality of human capital, reinforcement of gender inequality and intergenerational poverty.

The entrenchment of male dominance and inferiority of women is exhibited in higher than global male:female sex ratio in Pakistan i.e. **1,033** males per 1,000 females against a global ratio of **1,016** males for every 1,000 females. Pakistan is thus a patriarchal society with women equated to wealth and land¹⁵ as bone of contention and basis of all ills. Primitive and inhumane cultural practices like *watta satta*, *pait likhi*, *addo baddo*, *swara/khoon baha/vani/sakh* and marriages with the Holy book Quran still persist in rural and tribal areas. In the impoverished regions of rural Sindh, young girls are sold to older men in exchange of money in the guise of marriage. These customs indicate how girls are treated as objects in settling disputes, and forced to let go of their inheritance rights conferred to them by law as well as religion.

Type of Marriage	%
Vani, Sawara, Sang Chatti, Badal, Bazu	12.0
Watta Satta/Pait-Likhi	58.7
Selling the bride	7.9
Marriage with Quran	0.1
Badle-Sulha	1.0

Source: Customary Marriages in Rural Pakistan (2017)

¹³ Bureau of Statistics Sindh, Multiple Indicator Cluster Survey (MICS) Sindh 2014, Government of Sindh, Karachi,

¹⁴ Government of Khyber Pakhtunkhaw. Multiple Indicator Cluster Survey KPK, 2018

¹⁵ *Zan* (women), *zar* (wealth), *zameen* (land);

Patriarchal Pakistan: Women's Representation, Access to Resources, and Institutional Practices, Khalid Chauhan

There is thus a dire need to address the prevalence of CEFM in Pakistan. The issue becomes of pivotal importance because 68 % of Pakistan’s population is under 30 years of age¹⁶. Channeling the energies of this youth bulge in productive spheres will have far-reaching implications.

3.05 Objectives of this Report:

This report is an attempt to rekindle and strengthen the efforts made thus far in reducing the prevalence of CEFM in Pakistan. Using representative primary data from all over Pakistan and a mixed methods research design, it attempts to answer the following questions and make appropriate policy recommendations:

1. What is the prevalence of early and child marriages in Pakistan?
2. What impact does early and child marriage have upon victims’ mental health, educational outcomes, livelihoods, and aspirations?
3. What are the main concerns of the affected regarding the practice?

4 Understanding the Legal Framework in Pakistan

In order to understand the current situation of CEFM in Pakistan, it is imperative to review the legal framework i.e. laws pertaining to child marriages and the stipulated penalties, efforts made by other relevant bodies and the progress made therein over the years.

4.01 Laws and Legislations

The overall framework for the rights of all citizens is set by the Constitution of Pakistan. The primary legislation related to CEFM in Pakistan is Child Marriage Restraint Act (CMRA 1929) according to which the minimum legal age for marriage is 16 for girls and 18 for boys. After the Eighteenth Amendment to the Constitution in 2010, Sindh and Punjab successfully made amendments in the CMRA 1929. CMRA 1929 applies to the rest of the provinces, even though legislation is under process for the Gilgit Baltistan (GB) region. Table 3 details the laws, and their details.

¹⁶ Pakistan Economic Survey, 2021

Table 3: Laws in Pakistan governing CEFM			
Law	Applies to	Penalty	Imprisonment
Child Marriage Restraint Act 1929: legal age of marriage for girls is 16 and boys is 18	KPK, Balochistan, GB, Azad and Jammu Kashmir	Male entering into a child marriage, and any facilitator of child marriage including parents/guardian	Simple imprisonment that may extend to one month, Fine of 1000 PKR
Sindh Marriage Restraint Act, 2013: <i>raised the girls' age of marriage to 18</i>	Sindh	All facilitators of child marriage; police officers can be prosecuted if action not taken	More than 2 years imprisonment, up to max 3 years
Punjab Marriage Restraint Act, 2015: stricter punishments	Punjab	An adult who marries a child and Nikah registrar	Imprisonment of 6 months and a fine of 50,000 PKR
Bill presented in 2013; but turned down so CMRA 1929 applies	KPK		
Early Child Marriage Restraint Act Submitted to Cabinet for approval, CMRA 1929 applies as of now	Balochistan		
Hindu Marriage Act (HMA), March 2017: <i>legal age of marriage for both girls and boys is 18 years</i>	Hindu community		Allows petition to declare the marriage null and void.
<i>Source: Legal Documents of various acts</i>			

Thus, there is sufficient variation in the legal framework across different provinces. Even though penalties exist, hardly any cases are registered. In instances where complaints are lodged successfully against child marriages, it becomes an uphill task to ascertain the true age of the child because of lack of birth registration. The current rate of birth registration is extremely low in Pakistan: overall only 42 percent children registered. Registration rates are less (39 %) for children under 2 years of age than children aged 2-4 years (44%). The birth registration rates vary for provinces and different wealth quintiles. Urban Pakistan has child registration rates of 60 %, whereas those in rural areas in 34 %. In the highest wealth quintiles, 76 % children are registered against only 9 % in the lowest wealth quintile. However, no gender parity in birth registration is reported¹⁷.

Table 4 shows amendments made to laws over time. A gradual and comprehensive shift towards better laws and stricter penalties can be observed.

¹⁷ PDHS, 2018

Table 4: Amendments made in Laws		
Amendments	Details	Penalties
Criminal Law (Amendment)18 Act, 2004	Made sawara and similar practices a crime	Imprisonment that may extend to 10 years but not less than 3 years
Prevention of Anti-Women Practices (Criminal Law Amendment) Act, 201119	310A: Punishment of giving female in marriage, badle-sulha, wani, sawara	3 – 7 years imprisonment PKR 500,000
	498A: Prohibits depriving women from property inheritance	5-10 years imprisonment 1 Million PKR fine
	498B: Prohibits forced marriages	3 – 7 years PKR 500,000
	498C: Prohibits marriage with Quran	3 – 7 years PKR 500,000
Amendment in Pakistan Penal Code, 2017	498B: whoever coerces or compels a female child as defined in CMRA1929, or a non-Muslim woman to enter into marriage	5 – 10 years PKR 1 Million

Another concerning drawback in the current legislative regime is differences in how a child is defined in various laws. Table 5 describes different definitions that are currently applicable under different laws.

Table 5: Discrepancies in definition of child in various laws in Pakistan	
Law	Definition
Juvenile Justice System Ordinance, 2000	Child is a person below the age of 18 years
Pakistan Penal Code (PPC), 1860	No action can be deemed as offence when done by a child below the age of seven
PPC, Section 83	Nothing can be termed as criminal when done by a child above seven but below twelve with insufficient maturity to understand or judge the nature and repercussions of his/her action
Hudood Ordinance, 1979	“Hadd” can be enforced on a person who has attained puberty and it is fixed 18 years in males and 16 years in females
Code of Criminal Procedure 1898	Declares a person as “Juvenile” who is under 15
Punjab Youthful Offender Ordinance 1983	Declares a person as a child who has not attained the age of 15 ²⁰ .

It is highly desirable to bring uniformity in how a child is defined. Especially since Pakistan has ratified United Nations Convention on Rights of the Child (UNCRC) which defines a child to be any human being under the age of 18, the Government of Pakistan should also use the same definition.

¹⁸ http://www.fia.gov.pk/default_files/ppc.pdf

¹⁹ Forced Marriages and Inheritance Deprivation in Pakistan, Sarah Zaman, published under Gender Based Violence Policy Research, & Capacity Building Programme, Aurat Foundation and Trocaire, October 2014

²⁰ Child Marriages in Pakistan: Issues of Sampling, Representativeness and Generalization, Munir Ahamad Zia, Safdar Abbas, Dr. Fauzia Saleem Alvi, Mr. Noman Isaac, Sidra Maqsood, The Pakistan journal of Social Issues Volume IX (2018)

4.02 International and National commitments:

List of some of the international frameworks or covenants that govern CEFM directly or indirectly, and are ratified by Pakistan are provided in Table 6. It must be noted that the amendments made in the CMRA 1929 had an objective to align Pakistan’s legal framework with international commitments such as CEDAW and CRC.

Table 6: International Commitments	
Details	Year ratified/committed by Pakistan
Universal Declaration of Human Rights (UDHR)	1948
Convention on the Rights of the Child (UNCRC) 1989	1989
The Beijing Declaration and the Platform for Action	1995
Convention on Elimination of All forms of Discrimination against Women (CEDAW) 1979	1996
International Covenant on Economic, Social and Cultural Rights (ICESCR)	2008
South Asia Initiative to End Violence Against Children (SAIEVAC)	2010
International Covenant on Civil and Political Rights (ICCPR)	2010

The period 2011 – 2018 saw great strides in campaigns and initiatives in Pakistan to reduce the prevalence of CEFM. However, the recent closure of some of the international NGOs, restriction on the rights-based approach and ensuing policies to regulate NGOs saw the momentum fade away as evident from pending bills to modify CMRA 1929 in the case of some provinces. The SAARC strategy to end child marriages was also not renewed after 2015. Furthermore, 95 civil society organizations in Pakistan became members of Girls Not Brides²¹ (GNB) to fight CEFM. Some of these organizations have conducted focused programs on CEFM elimination, awareness raising, targeted research, and engaged youth in their efforts, as well as gradually integrated the theme of fighting CEFM in their other projects. However, only a few could persist in their interventions targeted at ending the practice of CEFM all over Pakistan. The Child Rights Movement in Pakistan has over 200-member organizations and a number are working against child marriages through campaigns and advocacy. Several actions have been taken by the provinces especially after the devolution of powers to provinces in 2010 - a little bit different in each province e.g. KP had set up a Child Protection MIS.

²¹ Girls Not Brides is a global partnership of more than 1300 civil society organisations from 100 countries committed to ending child marriage and enabling girls to fulfil their potential.

Table 7 describes some of the national institutions and UN programs currently responsible for dealing with CEFM directly or indirectly contributing towards the root causes that inevitably lead to early marriages.

Table 7: National Institutions and UN Programs currently in place Pakistan	
National Commission on Human Rights (NCHR)	Does not directly target CEFM but indirectly follows a rights-based approach to increase awareness in educational institutions; takes actions on complaints
National Commission on Child Welfare and Development (NCCWD); Ministry of Human Rights (MoHR)	<ul style="list-style-type: none"> • Recognizes the critical nature of CEFM • Works at provincial level to conduct seminars • Human Rights Information Management Systems is being developed; CEFM is one indicator on the IS. • Hotline to report CEFM cases
United Nations Children’s Fund (UNICEF)’S Child Protection Program	<ul style="list-style-type: none"> • Increase birth registrations • Community based protection mechanisms
United Nations Population Fund (UNFPA)’s Strategies to eradicate CEFM	<ul style="list-style-type: none"> • Improve legislation • Collect evidence for advocacy • Develop initiatives that support young women and girls’ empowerment • Ensure access to sexual and reproductive health information and services • Also supports young females in existing child marriages for SRH as well as mental health
Office of Chief Provincial Commissioner for Children (OCPCC), Punjab	<ul style="list-style-type: none"> • takes action on complaints of children or their guardians / parents and operates a hotline too

In addition to the formal government bodies like Ministry of Human Rights and NCHR, several networks and alliances all around the globe have been actively making efforts to reduce the prevalence of CEFM. For instance: Parliamentarians for Global Action²² (PGA) runs a campaign to end CEFM, Girls Not Brides as previously mentioned, Men Engage Alliance²³ seeks to provide a collective voice on the role of men in efforts to achieve gender equality, Clinton Global Initiative²⁴ are some of the global networks working towards achieving the goal of addressing the menace of early marriages. South Asia Initiative to End Violence Against Children (SAIEVAC) and Men Engage Alliance South Asia are the relevant regional bodies in South Asia. Furthermore, Alliance Against Child Marriages (AACM) in Punjab and Sindh, Ending Violence Against Women and Girls (EVAWG) and Child Rights Movement in Islamabad, Men Engage Alliance Pakistan, and Men Unite in Peshawar are also some local alliances working on gender equality, violence against women, raising awareness on child marriages and the related legislation.

²² Parliamentarians for Global Action (PGA), a non-governmental, multi-party, international network of legislators acting in their individual capacities, informs and mobilizes parliamentarians in all regions of the world to advocate for human rights and the Rule of Law, democracy, human security, inclusion and gender equality.

²³ MEA is a global alliance made up of dozens of country networks spread across many regions of the world, hundreds of non-governmental organizations, as well as UN partners

²⁴ Under Clinton Global Initiative, a project was launched with the name of Girls, Women & the Global Goals: Confronting CEFM and a commitment of 12 million US dollars was made by American Jewish World Service in 2016

5 Review of Academic Literature

The academic literature widely supports the idea of how CEFM are a sheer violation and exploitation of basic human rights because the decision of marriage is taken before the concerned individual has fully gained conscious consent and his psychological as well as all physiological development is complete (Bicer & Ozcebe, 2013). This section presents review of academic literature about the reasons and implications of CEFM. It also includes suggestions made along with their rationale, and programs that have worked in the past.

It has been observed that the rates of child marriages vary within countries. Studies from Turkey, Pakistan and Bangladesh show that CEFM prevalence is greater in certain regions like rural areas, slums and coastal districts; reasons of which are intertwined and will be explored next. (Asadullah et al, 2020; Bicer & Ozcebe, 2013; Naveed & Butt, 2015; & Rahman & Nasrin, 2012)

5.01 What leads to CEFM:

The high correlations between **low income, less education and higher prevalence of CEFM** is indisputable. People from economically disadvantaged background and low socio-economic status tend to marry and have children earlier than their richer counterparts (Asadullah, 2020; Bicer & Ozcebe, 2013; South & Crowder, 2000; & Synder et al., 2004). Girls in such families are considered an economic burden which can be released by marrying her off as early as possible (Bicer & Ozcebe, 2013; Parsons et al, 2015; Rahman & Nasrin, 2012). However, one main reason of poor economic status is less education: not just of the potential child bride or groom, but also of their parents. **Education** postpones age of marriage (Jajeebhoy, 1995 in Rahman & Nasrin, 2012), but if resources are limited then **educating girls** is not a priority because it is considered a waste of resources since the girl child will eventually move to a different home (Rahman & Nasrin, 2012). In turn, this severely inhibits the earning potential and skill-set thus jeopardizing their status, decision making and negotiating power for their whole life (Naveed & Butt, 2015). Girls are thus an economic burden because they are ‘an extra mouth to feed’ and also because they have little to no earning potential (Bicer & Ozcebe, 2013; Parsons et al, 2015). Lack of female education and employment opportunities and the inter-generational effects of the same are thus one main reason for CEFM (Asadullah, 2020).

However, it is not just lack of education of the girls but also their **parents** that plays a key role in high rates of CEFM. An illiterate parent (especially father) is very less likely to be aware of the harmful effects of early marriages on girls (Naveed & Butt, 2015). Similarly, an illiterate **husband** is more likely to marry a young girl without paying attention to her education level (Rahman & Nasrin, 2012).

Hence, less education of the entire family perpetuates the practice of early marriages. Not surprisingly, less education is more of a feature of poor households with limited economic opportunities: Nasrullah, 2013 has found statistical significance of poverty, no formal education and rural residence in explaining the prevalence of CEFM in Pakistan from nationally representative data.

The effect of less household income is compounded in certain areas like **rural regions and slums**. For instance, Naveed & Butt (2015) describe how rural Pakistan offers very less avenues for women to earn. The only viable options are seasonal work in the agriculture sector or home-based work, none of which is decently paid. This changes in urban areas where women have better income prospects and thus their work can be considered as an income mitigating strategy.

Another very pertinent and related factor is **social fabric, traditional beliefs and community norms** (Bicer & Ozcebe, 2013; Parsons et al, 2015). The pressure on parents to marry off girls as soon as they hit puberty still prevails in a lot of societies and increases rapidly as the girl ages. The families are made to feel guilty if they are unable to marry off their young girls (Bicer & Ozcebe, 2013; Rahman & Nasrin, 2012). If such a girl falls in love or engages in any sexual activity, it is considered a breach of honor (Bicer & Ozcebe, 2013). Thus, having a male guardian in the form of a husband renders girls as safe (and hence better-off), decreasing the odds of **sex without marriage** and this guarding the ‘**honor**’ of the girl and the family (Bicer & Ozcebe, 2013; Rahman & Nasrin, 2012). The notion of ‘honor’ attached to young girls goes a long way in deciding their fate in certain regions where risks of **sexual violence** i.e. jeopardizing the ‘honor’ of a young girl are rampant. This is particularly common in rural areas and hence a lot of parents in rural areas use early marriages as a safeguard strategy²⁵ for their daughters. The threat of sexual harassment and general insecurity associated with **displacement and migration** is markedly higher in areas that are more prone to wars and climate related catastrophes (Bicer & Ozcebe, 2013; Khanna et al., 2011; (Jha, 2016). Early child marriage is thus a (mal)adaptation strategy on behalf of poor parents to combat the additional sufferings in the form of further poverty and possible ‘loss of honor of girls’ posed by the interaction of destitute economic situation and climate threats (Asadullah, 2020).

Natural disasters and displacement dismantle the social networks and community protection systems, halts the law-and-order discipline thus magnifying the odds of sexual violence. Girls are 2.5 times more likely than boys to stay out of school in situations of conflict, and approximately 90 percent more probable to stay out of secondary school than girls in non-conflict countries²⁶. There is evidence

²⁵ Thematic Report: Unrecognised Sexual Abuse and Exploitation of Children in Child, Early and Forced Marriage, October 2015, ECPAT with support from Plan International

²⁶ United Nation’s OHCHR Synthesis Report 2017

reported by Girls Not Brides²⁷, 2018 about how in Bangladesh and northeast India frequent floods and land erosion have pushed families into abysmal poverty situation, rendering access to education more difficult and thus making child marriages inevitable survival and adoption plan of parents.

Early marriages further strengthen gender roles and male dominance because of the widespread belief that the younger a girl is, the more **obedient and hence easier to control** she'd be (Asadullah, 2020; Naveed & Butt, 2015). This urge to exert greater control on women is further manifested in various customs like those of watta satta in Pakistan. The main motive behind such marriages is an attempt to ensure control and usually involves at least one under-age bride whose consent is not solicited (Naveed & Butt, 2015).

Traditions like **bride price** (prevalent in Turkey and Africa) and **dowry** (prevalent in South Asia) further motivate poorer households to marry their girls sooner than later. The custom of 'bride price' in which the girl's family receives money offers an immediate economic relief; foregoing the usual implication for the girl in the form of high susceptibility to violence and sexual abuse post marriage. Some authors call this practice as equivalent to commercial child abuse (Bicer & Ozcebe, 2013; Parsons et al, 2015). In regions where it is customary to bestow the bride with hefty dowries, young girls are an easy target of CEFM because they offer compensation in the form of their young and malleable age; thus, reducing the burden of dowry on parents. Since dowry demands grow as the girls age, there is an indirect economic benefit in marrying young girls in poor households in addition to the direct economic advantage of getting rid of her expenses (Asadullah, 2020; Nasrullah, 2013; Parsons et al, 2015;). However, the long run costs for the girl and the next generation are huge and cannot be offset by the short-term gains made by parents (Parsons et al, 2015).

The same reasons of general insecurity and unpredictable life explain why child marriages are also more prevalent in **slums** than urban areas. Slums are a by-product of rapid -urbanization in developing countries and lack basic life facilities such as proper infrastructure and security for women which fuels CEFM, as found by Rahman & Nasrin in their in-depth study of slums in Rajshahi city, Bangladesh.

The importance of **faith and religious beliefs** in relation to marriage cannot be over emphasized (Parsons et al, 2015 (Bicer & Ozcebe, 2013). Certain religious beliefs may accelerate early marriages especially in the Muslim countries. While dating back to pre-Islamic Arab traditions of marrying young children, the fact of the matter is that Islam does not delineate one precise age of marriage. This gives sufficient leeway for different interpretation to religious leaders, often serving their own interests rather than those of society. For instance, it is easier and often advantageous for them to propagate

²⁷ Child Marriages in Humanitarian Settings, Girls Not Brides, 2018

how early child marriages reduce the likelihood of moral corruption by making sexual relationships 'halal'. Moreover, it is often claimed by some religious leaders how obligatory it is for parents to marry off their children as soon as they hit puberty. However, opposite opinion exists and is supported (UNICEF & Al Azhar University, 2005) in [Naveed & Butt, 2015]. i.e. reaching puberty alone does not qualify an individual to deal with the responsibilities of marriage. Furthermore, the sharia definition of puberty of starting menstrual cycle for females and growth of facial hair for boys prevail; which is against the laws and reflect lack of education. People who blindly follow these concepts conveniently ignore that sharia laws also require consent of both the parties for marriages and that there is no difference of opinion for the same (Nasrullah, 2013). Nonetheless, in societies where offsprings are economically dependent on their parents, where obedience is regarded as a virtue and challenging status quo is considered rebellion, consent loses its true essence and must be understood in the wider context (Naveed & Butt, 2015).

It is critical to note that the practice of CEFM has persisted despite **laws and legislations**. Literature points out how mere formulation and existence of laws is not adequate in eliminating such deep-rooted practice. Poor implementation, margin of different interpretations, and mild and inappropriate punishments are the main reasons why laws have failed to completely address and eradicate the harmful practice of CEFM despite those negative externalities been well-documented (Bicer & Ozcebe, 2013; Naveed & Butt, 2015; & Rahman & Nasrin, 2012).

Some rather subtle but equally important reasons found in literature associated with CEFM are a competition at the part of parents to seek potential grooms of high economic status thus offering girls for marriage at young and tender age. The same mindset is reflected when girls are conditioned to believe that they will be better off when married young (or might not get married at all), so they also deem marriage as an escape (Bicer & Ozcebe, 2013). Early marriage is also considered an escape by girls when they are raised in settings where either of the parent has passed away and hence there is a step parent to live with, often associated with violence, lack of love and harmony in the family (Bicer & Ozcebe, 2013).

All of the reasons discussed apply to the cases where child marriages are considered forced marriages. Parsons et al (2015) describes how very less is known about instances where girls willingly enter into marriage at a young age. Next section discusses the implications of child marriages.

5.02 What happens after CEFM:

It is evident from the literature that in most cases, parents' decision of CEFM is in hopes of a better or safe future. However, child marriages in fact carve out a maze of problems and the vicious cycle continues for generations (Naveed & Butt, 2015).

The very obvious consequence of an early marriage especially for girls is that they have to be pulled out of the school in almost all the cases. The poor **educational** attainment is further exacerbated by limited access to learning useful skills and vocational training (Khanna et al., 2013; UNESCO 2012). These factors severely hamper her prospects in the formal job markets and her lifelong earning potential. Low education level of mothers has trickle down effects that start from shifts in household consumption patterns away from prudent and economically advantageous investments, to less awareness of health issues and poor immunization rates of their children, higher chances of malnourished children, and ends at higher likelihood of their children marrying at early ages thus reinforcing the intergenerational plethora of problems (Parsons et al, 2015). Staying out of school also affects girls because schools are not just places for academic advancement but also potential source of **networking and informal support** from which a girl bride gets deprived forever.

Low education levels imply dismal **labor force participation rates** (Parsons et al, 2015). Employment opportunities are drastically reduced for women when they are married young and instead of productive role; their reproductive role takes over. The only viable options that remain are usually not paid well. Women's low labor force participation in turn increases household poverty, reduces income diversity thus making the household more vulnerable to income shocks (Chaaban & Cunningham 2011; Duran & Eraslan, 2019; & Smith & Haddad 2015).

Support system for young mothers are neither available nor generally reliable since gender roles dictate that the mother is the primary care giver for her children. This further stunts women's professional growth and income potential. That CEFM significantly enhance the reproductive span of a female as compared to those getting married at later age is well documented; especially in the South Asian region where contraception usage still lags behind (Rahman & Nasrin, 2012). In developing countries, access to contraception by girls is not just restricted, might be unaffordable for low income families but also shunned socially (Barbara et. al., 1998). Furthermore, due to prevailing norms around marriages and sexual lives, even when the contraceptive methods are available and affordable, such decisions are usually taken by husbands (Rahman & Nasrin, 2012). In Pakistan, Nasrullah (2013) cites women's perception of using contraceptives as taboo as well as husband's wish to have large family size as the reason of low rates of contraception.

When girls (who are by all means children themselves) are entrusted the job of bearing and raising children, myriad of problems arise. In the context of low contraception usage and generally poor nutrition status, an active sexual life in an early marriage implies either early and unintended pregnancies, forced abortions, severe complications during pregnancy, risks of sexually transmitted diseases, and low birth weight of babies (Bicer & Ozcebe, 2013; Parsons et al, 2015). Risks of premature labor are higher and survival probabilities of the new born babies are low; further complicated by hypertension, preeclampsia-eclampsia, anemia, bleedings and spontaneous abortions along with prolonged post-natal complications and infections (Bicer & Ozcebe, 2013; Judith 1995; Naveed & Butt, 2015; & Trommlerova, 2020). Infant mortality rates for children born to mothers aged less than 18 years are 60 percent greater than for those born to mother who are over 18 years (UNICEF 2014a).

Early marriages also predispose the child bride to high maternal mortality; an effect that worsens with limited access to health care resources. Another reason that further aggravates the poor health status of girls is that the girl is too young to fully comprehend the physiological changes associated with pregnancy and seek appropriate support when required (Bicer & Ozcebe, 2013). It can be argued that such poor health outcomes are a blight of socially and economically vulnerable population in developing countries; and not just child brides. Nasrullah (2013) states that it is critical to understand the relation between high fertility and poor fertility outcomes as a result of child marriages irrespective of a female's economic status, education, ethnicity and region of residence. CEFM cases were found to be highly positively related to higher fertility rates and negatively related to fertility outcomes even after controlling for contraception usage, husband's desire for more children and preference for sons. This finding implies that there are certain social forces at play, for instance control by in laws that pressurize young couples to have children sooner and render access to health care difficult thus leading to poor fertility outcomes.

The plight of the victims of early marriages doesn't end with physical health problems; their **mental health** suffers equally if not more. They face risks of social isolation from friends and siblings; a support that is pivotal in adolescent years. Staying out of school and formal workplaces limits their access to the informal support these networks provide; adversely affecting their emotional well-being and mental health (Bicer & Ozcebe, 2013; & Duflo, 2011). At one end, an early marriage defies them their childhood leisure and personal freedom; at the other end it adds to their responsibilities in the form of economic challenges for males or added domestic duties for females (Naveed & Butt, 2015). In the case of boys who get married early, if they are not able to fully provide for the family their dependence on the boys' parents increases. This has huge potential to lead to either poor financial freedom or daily disputes or both. All of these ramifications of an early child marriage set the stage

for further depression for the victims and can make domestic and intimate partner violence (IPV) more likely (Bicer & Ozcebe, 2013; Parsons et al, 2015). The mental health of girls is destroyed because they are conditioned to believe that they can't return to their parents' home even if they face abuse or violence. Rather, internalized patriarchy makes young girls render this cycle of disputes, abuse, violence as normal and warranted. Financial dependence acts like the last nail in the coffin: for short term survival, young girls are trapped in lifetimes of sufferings (Naveed & Butt, 2015).

Little to no education and economic standing **lowers the overall status and decision making power** of girls who are married young. They hence lack voice in sexual life and use of contraceptives, and an institution (i.e. marriage) that was supposed to protect them from unsafe practices, violence and sexual harassment renders them more exposed to the same (Clark, et al., 2006; & Plan UK 2011). This not only affects the victim's health instantly because of injuries they suffer, but also reinforces the idea of normalizing violence for their young children in addition to directly affecting their school attendance. In a review of literature, Parsons et. al. (2015) cites various studies describing and measuring value of lifetime earnings women lose as a result of violence inflicted disability i.e. *disability adjusted life years (DALY)* lost owing to premature mortality or disability as a direct and indirect cost of IPV. Lack of girls' decision making power and no agency perpetuates to suboptimal resource allocation for the household; sabotaging the health and education outcomes for children even before they are born. The intergenerational cycle of poverty, poor life choices, and gender inequality thus proceeds unchecked.

In a rigorous study conducted in Bangladesh to explore the relationship between **adolescent pregnancies and early childhood mortality**, Trommlerova (2020) further distinguished between different early childhood periods while also incorporating the effects of maternal education and household wealth using mother fixed effects model. The hypothesis is that if the main culprit for poor fertility outcomes in young mothers is the underdeveloped physical and biological health of mother at adolescence, then the children born to the same mother may differ in health status depending on the age they were given birth. Findings suggest that the children born during the adolescent period of the mother suffer from high mortality rates; not only in the first year but the risks continue beyond infancy until they reach their fifth birthday in poor households. The findings were robust to the inclusion of different cohorts of mothers; and strongest results were found for younger adolescents. The study concludes that it is the in-process biological development of the mother herself that leads to poor fertility outcomes. The effects of material investments i.e. better household resources or health interventions demonstrate a positive effect only in the post-infant period for the children.

Poor economic status of the household because of low levels of education and labor force participation rates, poor physical health of the mother and her children, limited access to healthcare, worsening

mental health, higher likelihood of violence and abuse and limited to no control or decision making power of the mother together imply that economic decisions will be made for short-term solutions at the expense of long-term investments in human and physical capital. Taken at a macro level, these factors may lead to lower levels of physical well-being and lower productivity as a nation which directly influences economic growth. The intergenerational nature of these linkages means that suffering as well practice of CEFM may further continue in future generations (Chaaban & Cunningham 2011; Sekhri & Debnath, 2014; & Smith & Haddad 2015).

Recent research (Sekhri & Debnath, 2014) has also considered a rather challenging hypothesis that incorporates the ‘resource effect’: defined as better resource provision by more resourceful households. This resource effect may counteract the ‘maturity effect’ (i.e. poor educational attainment of the young mother owing to an early marriage that has indirect consequences for her children’s educational journey). The relationship is theoretically ambiguous and is thus tested empirically using an instrumental variable approach on a nationally representative sample from India. Their findings suggest that a delay of one year in the mother’s age of marriage is associated with a greater likelihood of her children being able attempt arithmetic and reading tasks of higher difficulty. They also provide empirical evidence that mother’s age of marriage is associated with choice of school for her kids and how much time and supplies are provided for homework and educational pursuits.

5.03 Methods Used in Previous Studies:

This section states major findings from the studies in the past. This exercise will help us understand the methods used in the previous studies as well identify the relevant variables in different settings that are related to CEFM.

In a study with a non-representative sample in slum areas of **Rajshahi city in Bangladesh**; it was found that 41 % of females who had an early marriage were not educated at all while 30 % had only studied till primary. Respondents with secondary and higher education were found to be 23% more likely to marry at age 18 years and above than their illiterate counterparts. Of those who had early marriages, 49 % had fathers with no education; thus corroborating the role of education of the child as well as father in CEFM decisions. Moreover, only 27 % had conceived their first baby **after** 18 years of age, 66 % used contraceptives themselves and 22 % had husbands who used contraceptives (Rahman & Nasrin, 2012).

A descriptive, cross sectional study in the province of Edirne, Turkey found that vast majority of early child marriages were love marriages without the consent of parents; with differences found in various ethnicities. Rural areas had higher prevalence of early age marriages. Primary school graduates got

married earlier than illiterates or higher school graduates. As the level of education and financial status of parents decreased, prevalence of early child marriages increased. Spouses of participants who had early age marriage were also mostly primary school graduates. The rate of employment of participants also increased as the age of marriage increased in the sample. Women who had early age marriages (and love marriages) were more vulnerable to spousal violence than those married at the age of 17 and above (Duran & Eraslan, 2019).

In an attempt to explore the dimension of climate vulnerabilities and their relationship with early child marriages, Asadullah (2020) has used a mixed methods approach where in-depth interviews were conducted with victims of child marriages and quantitative data from a representative sample in nationwide survey was analyzed. Asadullah (2020) also cites Miguel (2005) who found that extreme rainfall events in Tanzania increased the incidence of 'witch' murders (in particular, of elderly women) confirming the view that the burden of negative income shocks is borne mostly by female members of the household who have low productivity.

Nasrullah (2013) studied the relationship between early child marriages, high fertility rates and poor fertility health indicators beyond those attributed to social vulnerabilities in Pakistan using nationally representative data from Demographic Health Survey (2006 – 2007). The study found that half of ever-married women aged 20–24 years in Pakistan were married before the age of 18 years; while nearly quarter of these women married before the legal age of 16 years (Nasrullah, 2013).

The methodology used was logistic regression and controls for demographics, social equity indicators, (education, wealth index, urban versus rural residence), use of contraception, marriage duration, culture specific factors (measured from husband's desire for more kids and preference for sons) were included. The study confirmed that despite a decline in the rate of CEFM, girl child marriages in Pakistan are associated with high fertility rates and poor fertility outcomes such as rapid repeat childbirth, unwanted pregnancies and pregnancy termination; leading to detrimental effects on maternal and child health care in Pakistan (Nasrullah, 2013).

The mean age of first marriage in a sample of 1560 women aged 20-24 years was found to be 17.52 years with a standard deviation of 2.68 years. Punjab province had the highest prevalence of CEFM (53.1%). The prevalence of contraception was higher among women married as children than women married as adults (54.9 vs. 45.1 %). Women married as children as compared to adult also reported higher proportion of husband's desire for more children (59.4 vs. 40.6 %) (Nasrullah, 2013).

5.04 Recommendations from Previous Studies:

This section presents a summary of the suggestions made in the previous studies to deal with the aftermath of CEFM. **Support groups and counselling services** for those who already had CEFM are absolute necessity to help them navigate various challenges as they progress in life (Bicer & Ozcebe, 2013). Making **education** compulsory, safe and accessible; and offering economic incentives to the poor to ensure attendance in school is unanimously agreed upon policy to combat CEFM, especially for girl child. Priority should be given to rural and slum areas (Bicer & Ozcebe, 2013; Naveed & Butt, 2015; Parsons et al, 2015; & Rahman & Nasrin, 2012). Teachers can play a critical role in evaluating the reasons for girls dropping out of school (Bicer & Ozcebe, 2013). In addition to formal schooling, girls should be empowered with information, skills and support networks (Parsons et al, 2015). In the case of developing countries like Pakistan, cottage industries can be promoted in rural areas to create earning opportunities for women thus relieving the economic burden of the poor. Access to health care services also goes hand in hand to ensure better female health and health outcomes of the next generations (Naveed & Butt, 2015).

However, a child rights approach implies that it is not just the possible victim of child marriage but also the **wider community** that has to play its part. Teacher and parents also need to be made aware of the negative ramifications of early marriages (Bicer & Ozcebe, 2013; Parsons et al, 2015). In the case of Muslim countries, endorsement from the religious leaders about the ills of early age marriage and conception is critical to create awareness (Rahman & Nasrin, 2012). Health care providers, media and artists also need to incorporate the harmful effects of child marriages in their messages and campaigns to reach the masses. Lastly, lawyers should also be trained to comply with the law to stop the practice of CEFM instead of facilitating it. It is pertinent to note that these changes cannot be fully implemented, adopted and promulgated unless there is a **shift in the perception** that it is normal for girls under 18 to be married by creating awareness (Bicer & Ozcebe, 2013).

There is also a dire need of strict **law** enforcement, promoting and strengthening civil, sexual and reproductive health rights of women to eliminate child marriages in developing countries (Nasrullah, 2013). Naveed and Butt (2015) also suggest having tougher **penalties** and imprisonment in addition to precise and agile birth registration systems as tools to reduce child marriages. Latest research (Asadulla, 2020) also urges policy makers to inculcate the emerging dimension of **environmental risk** factors and how it act as a catalyst in fueling the rates of child marriages in disaster prone locations.

6 Research Methodology and Data Collection

6.01 Study Design:

To develop an in-depth understanding of prevalence, reasons and impact of early marriages in Pakistan, a mixed methods study design was used. The quantitative data was collected by a detailed household questionnaire. The qualitative data was collected in focus group discussions (FGDs) and in-depth interviews (IDIs) from not just the victims of child marriages but also key stakeholders such as teachers, parents, nikah registrars, and representatives from the civil society and concerned government departments. The results were triangulated based on the findings of the two approaches.

6.02 Quantitative Data:

The purpose of quantitative analysis was to assess the prevailing CEFM rates in the identified areas; as well as socioeconomic and demographic correlates of the same. Data was also collected to explore the post-marriage outcomes i.e. aspirations; marriage satisfaction and maternal health.

6.02.1 Sampling, Sample size and Quantitative Tools:

Ten districts from all over Pakistan were selected. The universe of the quantitative survey consisted of all households in rural and urban areas of the selected districts. The dangerous and militarily restricted areas were out of the scope of the survey. Table 8 describes the location wise split of survey sample. Table 9 lists the chosen districts in each province and the number of households surveyed. The list of mouzas/dehs/villages in rural areas and circles and blocks in urban areas developed by Pakistan Bureau of Statistics during Population census, 2017 was taken as sampling frame to draw sample from each district by locality.

Table 8: Urban/Rural split of Quantitative Survey	
Location	No. of Households Surveyed
Urban	290
Rural	796
Total Households Surveyed	1086

Further considerations to reach this sample size were: variability of the characteristic for which estimates are to be prepared, population distributed and field resources available.

Table 9: Districts for the Quantitative Survey		
Province	District	No. of Households Surveyed
Punjab	DG Khan	242
	Rajanpur	70
	Multan	103
	Chakwal	143
Sindh	Hyderabad	111
	Dadu	74
KPK	Mardan	102
	Batagram	81
Balochistan	Killa Saifullah	58
	Loralai	102
Total Households Surveyed		1086

A two-stage stratified sample design was used.

- For the Primary Sampling Unit (PSU), villages in rural areas, while circles in urban areas (specified during population census 2017) in each district were selected using probability proportional to size (PPS) method. The population of each village/circle was taken as measure of size.
 - Rural Primary Sampling Units (PSUs) selected = 49
 - Urban Primary Sampling Units (PSUs) selected = 20
 - Total Primary Sampling Units (PSUs) selected = 69
- The Secondary Sampling Unit (SSU) was the households in the PSU, taken using random sampling.

The questionnaire was developed after an extensive literature review of child marriages phenomenon in developing countries and the relevant reports in Pakistan. It was decided that the household will be surveyed regardless of having a CEFM case or not. Potential households for In-depth interviews were also identified during the quantitative survey for further interviewing for qualitative data.

The survey had the following sub-sections:

 1. Socio-economic and demographic information
 2. Marriage details and child bearing
 3. Decision making module
 4. Views on early age marriage
 5. Reasons for early age marriage
 6. Aspirations
 7. Impact of early age marriage

6.03 Qualitative Data:

The purpose of qualitative data analysis was to complement the findings from the quantitative data so as to delve deep into the first hand lived experiences of victims of early marriages; as well as to understand the dynamics of community norms, beliefs, and thought process of various stakeholders regarding different aspects of child marriages. To that end; this report utilized the tools of in-depth interviews and focus group discussions.

6.03.1 Sampling, Sample size and Qualitative Tools:

The data collection plan and sample breakdown is detailed in Table 10 and 11. The objective of in-depth interviews with the CEFM survivors was to explore the social processes of marriage formation, consent taking and provision of relevant information to prepare for marriage, compare views of life before and after marriage, and attempt to understand the impacts and overall experience of early marriage. In addition, to develop a holistic understanding of the same, focus group discussions were also conducted with parents to capture their insights on knowledge, attitudes, beliefs and perceptions, social expectations, incentives, sanctions and norms relating to child marriage and its ramifications.

CEFM is an intricate phenomenon, involving decision making by different stakeholders in the society. To gain insight on how different stakeholders such as teachers, Lady Health Workers (LHWs), marriage registrars and policy makers and implementers in the government and non-governmental setting conceptualize, understand and perceive early and forced child marriage and its impacts; IDIs were conducted with the same.

Table 10: In-depth Interviews (IDIs) with different Stakeholders		
District/Province	Provincial Stakeholders and CSO	Sample
Lahore (Punjab)	Director, Punjab Commission on the Status of Women	1
Lahore (Punjab)	Director, Aahung	1
Lahore (Punjab)	Director, Saahil	1
Lahore (Punjab)	Technical Advisor, National Commission on the Status of Women/UN Women	1
Karachi (Sindh)	Chairperson, Sindh Commission on the Status of Women	1
Karachi (Sindh)	Director, Social Welfare Department	1
Karachi (Sindh)	Director, Women Development Department	1
Peshawar (KPK)	Member, KPK Commission on the Status of Women	1
Peshawar (KPK)	Social Welfare Department	1

Table 10: In-depth Interviews (IDIs) with different Stakeholders		
District/Province	Provincial Stakeholders and CSO	Sample
Mardan (KPK)	Lady Health Workers	6
Hyderabad (Sindh)	Lady Health Workers	6
Mardan (KPK)	Teachers	6
Hyderabad (Sindh)	Teachers	6
Mardan (KPK)	Ulema/Marriage Registrars	6
Hyderabad (Sindh)	Marriage Registrars	6
Men/Women/Young boys/girls who underwent early and forced child marriage (DG Khan, Rajanpur, Multan, Chakwal in Punjab, Hyderabad, and Dadu in Sindh, Batagram and Mardan in KPK and Killa Saifullah and Loralai in Balochistan)		30

The qualitative research has used an ecological framework which is cognizant of, and informed by, socio-cultural and religious thoughts and community processes. The resulting qualitative data is, therefore, not nationally representative nor generalizable, nor does it give an indication of prevalence of child marriage. However, the lived experiences and attitudes described give depth to the current quantitative data available and help us hear the voices of survivors to this practice.

Table 11: Two* Focus Group Discussions (FDGs) in each location with different Stakeholders		
District/Province	Provincial Stakeholders and CSO	Sample
Mardan (KPK)	Mothers	16
Mardan (KPK)	Fathers	16
Hyderabad (Sindh)	Mothers	16
Hyderabad	Fathers	16

*Eight participants in each FGD

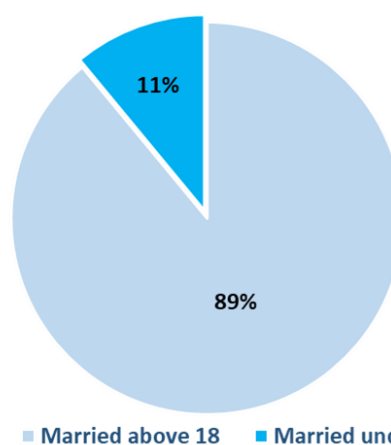
7 Data Analysis

7.01 Prevalence of CEFM:

In a sample of 1086 households, data for 5513 individuals was collected; 52 % of which was males and 48 % females. Excluding observations under 1 year of age, there were 5477 observations with average age 23.9. Average age of males as well as females in the sample was 24. In the sample of 1086 households, 105 household heads (i.e. 9.6 %) were females. 1396 women and 1381 men in the sample were married, widowed, divorced, separated.

The first tier of analysis is concerned with determining the prevalence of CEFM in Pakistan. In accordance with international definitions and for the purpose of this report, CEFM is defined as a marriage in which the age of bride or groom is under 18 years. Excluding observations where age of marriage was not reported e.g. all never married observations and missing data, the overall CEFM rate in our sample is **10.87 %** (Figure 1), with **0.96 %** married under 15 years.

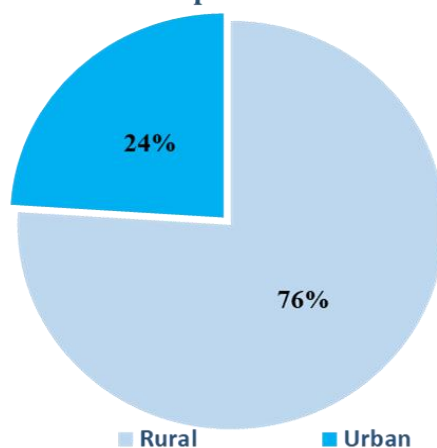
Figure 1: Prevalence of CEFM in the Sample



Source: CEFM defined as marriage under 18 years of either party

CEFM prevalence was estimated for different regions, provinces, districts, as well as gender. Of all child marriages reported in the data, 76 % happened in rural settings (Figure 2).

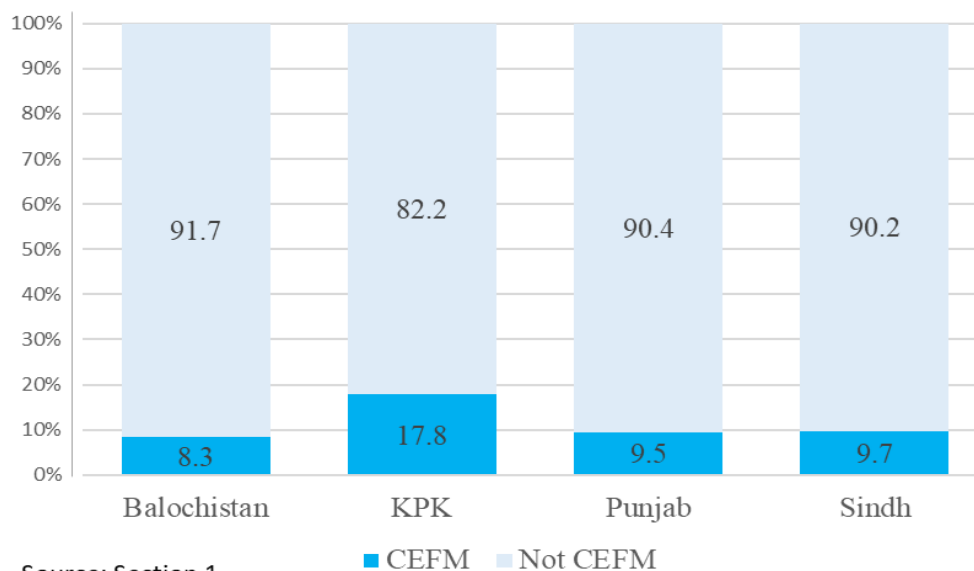
Figure 2: Region wise Distribution of CEFM in the sample



Source: Section 1

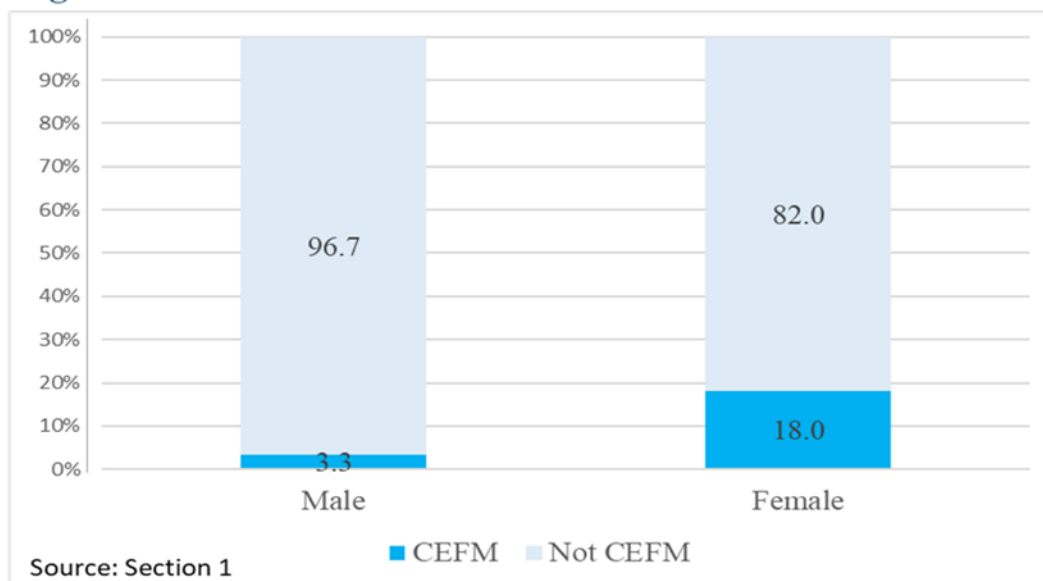
Similarly, of all the marriages reported in a given province, KPK reports the highest percentage of CEFM i.e. 18 % (Figure 3).

Figure 3: Province wise Distribution of CEFM in the Sample



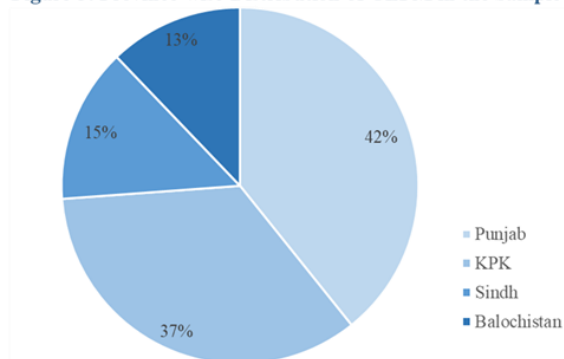
Of all the married females in the sample, 18 % were married as child brides whereas only 3.3 % males were married under 18 years of age (Figure 4).

Figure 4: Gender Distribution of CEFM



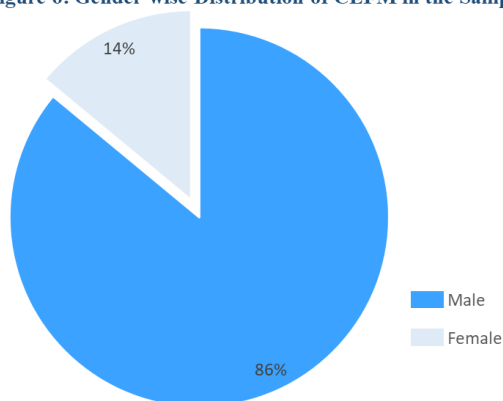
However, if we analyze all child marriages in the sample, of all the marriages reported in the sample, greatest prevalence of CEFM were found in Punjab i.e. 42 % (Figure 5).

Figure 5: Province wise Distribution of CEFM in the Sample



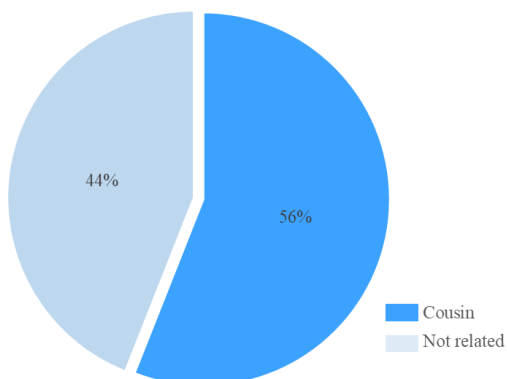
As expected, of all child marriages in the sample, 86% of them were reported for females (Figure 6).

Figure 6: Gender wise Distribution of CEFM in the Sample



To further understand the incidence of child marriages, the next step was to find out rates of cousin and customary marriages among the CEFM cases. 56 % of marriages were with cousins. (Figure 7)

Figure 7: CEFM Cousin Marriages



Source: Section 1

Figure 8: CEFM and Customary Marriages

As for customary marriages, the highest prevalence was found for watta satta i.e. 49 % of CEFM marriages were watta satta marriages in the sample. (Figure 8)

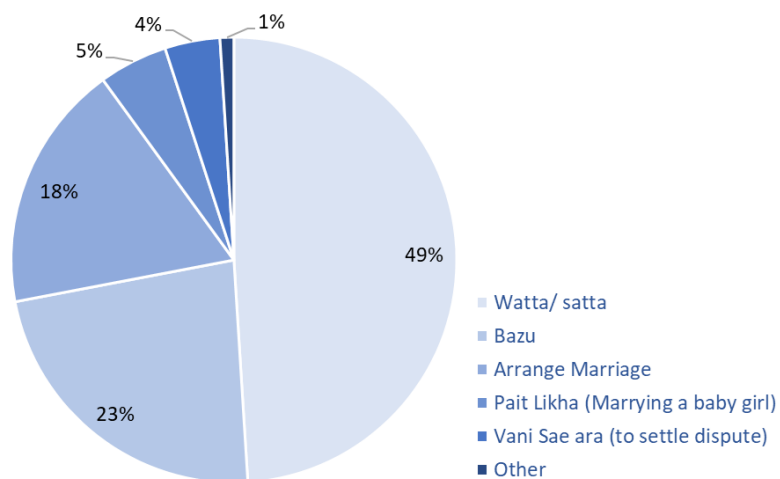
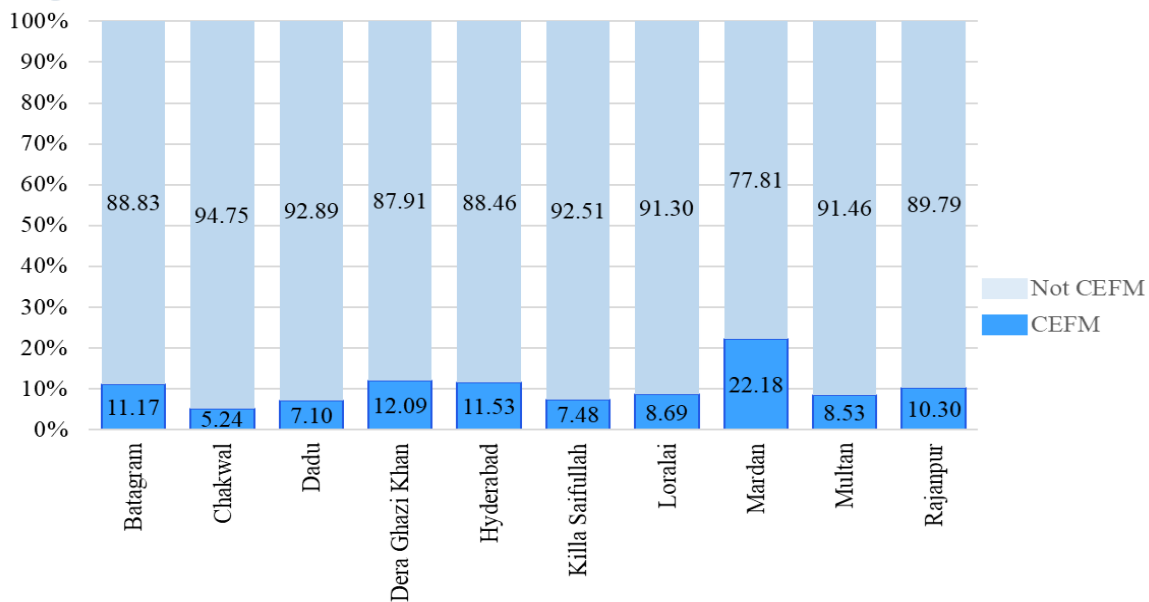


Figure 9 reports district wise prevalence of CEFM in our sample. The highest rate of child marriages was found in Mardan and Dera Ghazi Khan districts.

Figure 9: CEFM Distribution in Districts



Source: Section

7.02 Socio-Economic Background of CEFM:

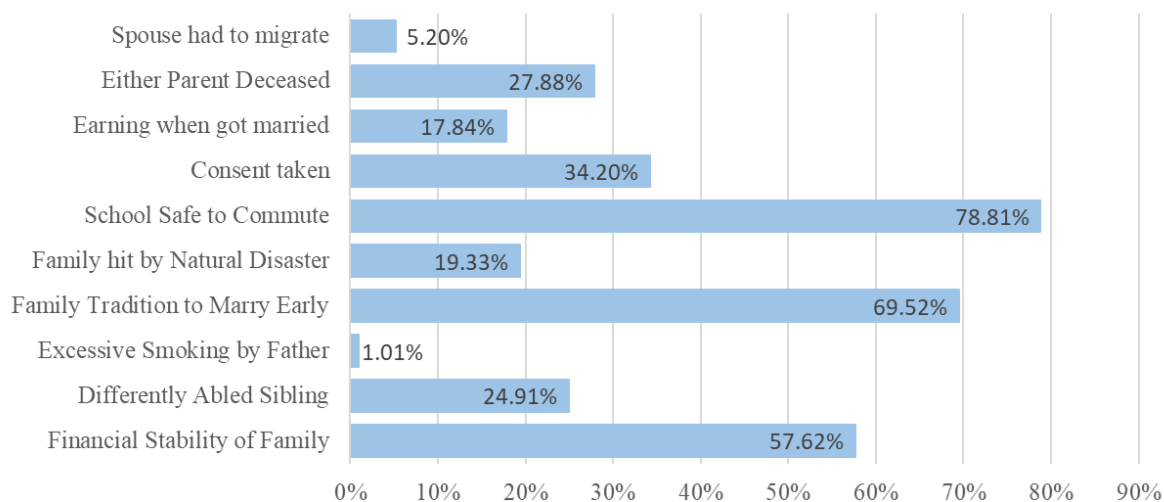
Respondents were asked of various reasons that could have affected their family dynamics in a way to make CEFM inevitable. The highest number of respondents (70 %) said it was a tradition to marry at an early age in the family. 58 % of the families were considered financially stable at the time of marriage. 25 % of victims of child marriages had a siblings living with disability, 13 % respondents' fathers had excessive smoking/drinking habits, 19 % said their family were hit by natural disaster in

“We were many sisters and after our father passed away, we had no one to earn for us. Hence my mother thought it was best to get us married. Female, Chakwal, Punjab

the recent past, and 28 % respondents' either or both parents had passed away at the time of their marriage.

For individual level correlates of child marriages, 21 % said their school was not safe to commute to and 82 % were not earning when they got married. According to quantitative research results, only 5% of the respondents revealed that early marriage was undertaken as they or the spouse had to migrate to other city for work.

Figure 10: Socio-economic Reasons of CEFM



Source: Section 5

In conversations during qualitative research with victims of early and forced child marriages, the primary reason stated for marrying at a young age was due to traditions/culture and the deep-rooted belief that Shariah law encourages to marry children as soon as they hit puberty. Respondents shared that parents and elders were in the rush of finding a suitable match as soon as possible after puberty.

This compounded by poverty, inability to afford education, or lack of interest in education, loss of a

“My mother was ill and we needed a caregiver at home. I was the eldest therefore my family decided to get me married at such a young age so I could bring in a wife who could look after me and my family.” Male, Dadu, Sindh

parent and need for a wife as a caregiver were also reported as reasons for early child marriage.

Consent of marriage from children, it seemed from the responses was a concept that was less common as decisions taken by parents or elders of the family reigned supreme.

“No one asked me whether I wanted to get married. My father vetoed the decision and everyone including myself was okay with it.” Male, Killa Saifullah, Balochistan

One respondent specified that verbal consent was only taken in the traditional way by the marriage registrar and the respondent consented as instructed by elders without any time given to actually process

“As tradition, the marriage registrar asked me whether I accepted the man as my husband and I was pressured to say yes by my elders. How I have passed my life after that only I know.” Female, Dadu, Sindh

“How can we talk back or go against what our parents decided? We have been taught to not even say “uff” to parents. Therefore, I accepted their decision with an open heart.” Female, Batagram, KPK

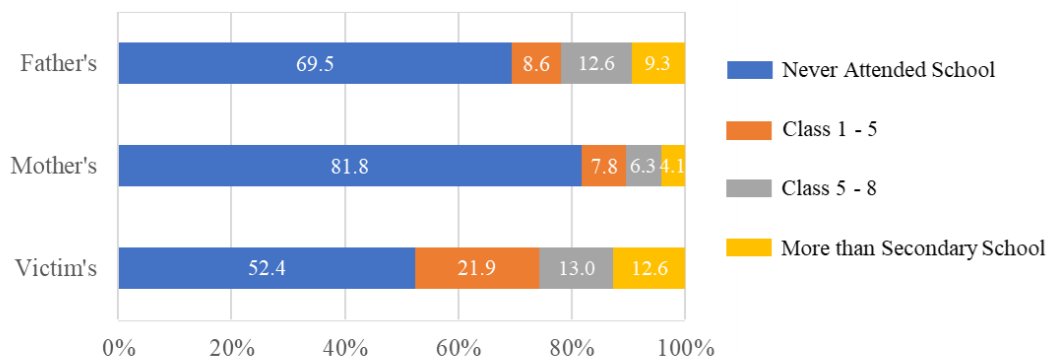
“When my elders asked whether I wanted to get married I replied that it is up to you. You are elder to me so you will know better.” Male, Dadu, Sindh

whether this is what they wanted. No written consent or signature was recorded. Another respondent stated that when he was asked about consent, but it was his wish to leave the decision up to his elders.

7.03 Education Profile of CEFM:

Another aspect of the research explored the education background of CEFM families in detail. Unremarkably, research showed that 70% of the fathers and 81 % of the mothers of children forced into CEFM had never attended school.

Figure 11: Education Profile of CEFM Families



Source: Section 5

Further, in the total sample, of all those who discontinued school, 6.6 % discontinued because of early marriage, excluding those that had completed school. These findings corroborate the importance of education to fight the menace of early child marriages as voiced in the literature review.

The qualitative data further added that lack of interest or poor performance in academics was another reason to exacerbate CEFM as girls in particular were considered to have no other purpose in life.

7.04 Decision Makers of CEFM:

"I was not interested in studying or completing my education. Hence there is no other purpose for a girl to sit at home and therefore my parents decided to marry me off as soon as they found a suitable proposal." Female, Batagram, KPK

"Even if people object from the child marriages, they don't do it openly as they say that if this what the parents want for their children, who are they to interfere." Female, Multan, Punjab

The qualitative part of the study also probed victims of CEFM to share who were the key decision makers for their marriage. Majority of the respondents mentioned that parents were the final decision makers. In some cases, mothers were the initiators for the proposals and they often needed to convince fathers to agree with their proposition. In other cases, it was the opposite i.e. Fathers wishing to marry children early despite the mothers advocating against it. In cases where the parents had difference in opinion, the outcome was one of the parents giving in to the social norms supportive of early marriage

“We were 4 sisters. Since my father had passed away, my uncle used to support us. As we grew older, he started pressurizing my widow mother to get us married. I remember when the proposal for my husband had come, my uncle presented all four of us and asked his family to pick whichever girl they liked best and they picked me. Female, Hyderabad, Sindh

“My father had passed away. My mother wished for me to pursue higher education but due to the conservative environment and dominance of my uncle’s who did not favor girls being educated, she could not provide me with further education. It was my uncle’s decision to get me married despite my mother telling them that I am underage and that she will find a suitable match for me when I grow older.” Female, Dadu, Sindh

and critical of delayed marriage. But in general, children largely acquiesced to their parents’ decision, even when it was not their preference. When asked about whether other people in the family/community were aware of the marriage and how they felt about the timing of the marriage, majority respondents shared that marriage was a public affair and almost everyone in the family and community were in agreement of the marriage. Only in a few cases, one or two family members (usually a parent or a sibling) voiced their opinion publicly but were not strong enough to sway the decision. The respondents mentioned that even if the community was in disagreement with the age of marriage (which was a rare case), the sentiment was only discussed in the form of gossip at the marriage ceremony, and no one voiced concerns publicly or interfered in the family’s personal affair.

7.05 Guidance on Responsibilities and Life after Marriage:

Victims of CEFM were also asked about whether they were aware of or had received any guidance on responsibilities and sexual relations associated with marriage through in-depth interviews. Majority of the respondents confirmed in affirmative for the first but stated that they had not received any guidance on sexual and reproductive health and that it was something that they had learnt about with experience.

“It was my mothers’ decision in the end but mostly it was driven by my father’s thinking that children should be married as soon as possible after puberty. It is also a tradition in our family to marry girls at a young age. This is why he got me married so quickly” Female, DG Khan, Punjab

With regards to guidance about responsibilities, most girls/women received advice from their mothers and sisters while boys/men received it from their fathers/uncles or cousins. The advice received by girls’ centered around fulfilling marital responsibilities such as household chores, caring for husband, respecting in-laws and most were guided on having patience and staying silent in case of conflicts/disagreements. The emphasis was laid more on adopting/adjusting to ways of life at their in-laws as well as tolerating any animosity they may receive from them. They were taught to spend their life in obedience, seeking approvals, winning hearts and creating a space for themselves in the new family.

7.06 Understanding Cultural Values and Beliefs:

In order to devise any effective policy or campaign to combat the issue of child marriages, it is pivotal to understand the thought process of those who normalize it for themselves as well as their children. To

“My mother told me to handle everyone with love and respect. She said to think of father-in-law as a father and obey him. She also asked me to respect mother-in-law and sister-in-law and take care of my husband.” Female, Batagram, Punjab

that end, the quantitative survey was designed to capture various cultural norms and beliefs, as described ahead.

7.06.1 Ideal age of Marriage and Reasons:

Despite the targeted efforts to curtail child marriages described in the previous sections, in the sample 28.5 % respondents think that ideal age for girls to be married is under 18, while 72 % think it is under or equal 20. On the contrary, 3.8 % think ideal age for boys to be married is under/equal 18, while 22.7 % think it is under/equal 20. Rural respondents prefer early age marriages, and difference of perception of ideal age of marriage of both girls and boys is statistically significant in rural versus urban areas.

Figure 12: Education Profile of CEFM Families



Source: Section 4

During the qualitative research, we also tried understanding the views of the respondents who had undergone child marriages and how it had impacted their view on the process.

When asked about the ideal age for marriage, most respondents stated that ages between 20-28 were ideal for marriage. Reason given for this age range included completion of education, ability to support oneself and stand on their own feet and attaining maturity required to fulfill marital responsibilities. When asked about the ideal age when young boys and girls should be provided sex education, majority of the respondents were of the view that they should be educated only after marriage.

In addition to the victims of CEFM, all respondents across all community stakeholder groups were asked whether they agreed with 18 years as the minimum legal age for marriage. It was interesting to see that majority of Lady Health Workers agreed that the ideal age for marriage should be above 18 so as to allow completion of basic education. It was seen that the ideal age for marriage quoted for boys was older than girls to ensure that they are physically, mentally and financially sound to handle and sustain the responsibilities associated with marriage.

“Ideally girls should be at least 17-18 years old and boys 22-25 years old at the time of marriage as that is when they are both physically and mentally fit to fulfill all responsibilities associated with marriage. Girls aged 14-15 may be physically fit for marriage but do not have the maturity to cope up with the increased responsibilities and sudden changes that follow marriage. Similarly, boys aged 17-18 are unable to bear the financial burden and support their family properly after marriage” LHW (KPK)

Similarly, most teachers in KPK and Sindh with one or two exceptions were also strong advocates of delaying early child marriage and quoted ideal age of marriage between 20 and 30 years of age.

Marriage registrars/Nikkah Khwans were also asked about their personal views on what the ideal age of marriage should be for both genders. Marriage registrars also known as Nikkah khwan/ Nikkah registrars are public servants appointed by the Union Council and have the license to solemnize a marriage under Muslim law. The law mentions no specific qualifications in terms of either education or knowledge of Muslim family laws for a person being licensed as a Nikah Registrar. As a public servant, it is their responsibility to ensure that both parties (bride and groom’s side) understand their actions, are exercising their free will and are not underage and that there is no coercion or duress involved before he registers a marriage. By verifying age documentation (through CNIC/B-form) at the time of marriage, they play a crucial role in prohibiting/ending child marriage.

It was alarming to see that despite the fact that marriage registrars play a pivotal role in officiating a marriage and can prohibit early and forced child marriage, majority of the registrars in Sindh and KPK thought it is ideal to marry a girl and boy right after puberty as per the Shariah. Age at puberty ranged from 12 to 16 year for girls and 13-18 years for boys.

CEFM is a complex issue with varying causes and consequences according to context. With key drivers such as poverty, inequality, lack of access to quality education, limited life choices, social norms and lack of access to sexual and reproductive health services, reduction in early child marriage requires effort and collaboration from multiple sectors. Therefore, it is important that

“The ideal age of marriage is above 12 years as that is when the child is physically mature and wise enough to get married. Recently I saw in the newspaper that 18 years is the legal age of marriage but it didn’t quote the shariah anywhere”. Marriage Registrar, Hyderabad, Sindh

all sectors involved understand the drivers that sustain the practice and responses are contextualized and adapted to different settings. Due to the pivotal role different sectors play, the qualitative part of this study also included representatives from key sectors such as Commission on the Status of Women and Women Development Department as stakeholders. Specifically, Commission on the Status of Women in each province has a broad mandate ranging from reviews of laws, rules, policies, programmes and other measures of the government; to monitoring implementation of laws and policies for achievement of gender equality and elimination of discrimination against women. The Women Development Departments in each province is involved in legislation, policy formulation and sectoral planning for women development. Key representatives from these departments were asked to give reasoning as to why 18 years was or should be specified as the legal age for marriage in all child marriage restraint acts.

Most stakeholders were of the view that if children particularly girls get married before 18, their health deteriorates overtime as their bodies are not prepared to deal with pregnancy and child birth and this contributes to the overall burden of maternal and child malnutrition in the country. Furthermore, children below 18 are not mature enough to understand and deal with the responsibilities associated with marriages. All stakeholders were of the view that 18 is the age when a child is given voting rights, driving license and a national identity card and is therefore counted as an adult citizen of the country. One provincial stakeholder labelled early and forced child marriage as an inhuman act and a clear violation of child rights. In addition to the reasoning given above, provincial stakeholders in KPK also added that 18 is an ideal age for marriage because that is also when a child has attained basic education required for being economically

“The age of 18 should be specified as the legal age of marriage as that is when CNIC, driver’s license and other citizen protocols are applied. Then why should marriage happen before 18 years of age? Marriage is a serious commitment and huge responsibility. There should not be any discrimination in this case. The other thing is that by 18 years of age children are able to complete their secondary education and understand their reproductive health issues and fulfill the responsibilities that marriage brings. The legal age of marriage should be the same for both boys and girls. In this patriarchal society, girls are often labelled as “naqis-ul-aqal” (inferior in intellect) then how are they ready to handle marriage at such a young age” Chairperson, Sindh Commission on the Status of Women

independent. They added that provinces where legal age of marriage for girls is still 16 need to

“We have put up a case for amendment to the child marriage restraint act in Punjab. The Islamabad court has also given a judgement on it that the age should be 18 for both boys and girls. When all major and minor acts are defined for the age 18, the child marriage restraint act should also be applied to the same age” Director, Punjab Commission on the Status of Women

amend their laws as this is pure gender discrimination.

Inputs were also sought from Civil Society Organization/Non-Governmental Organization representatives who had played an important role in making efforts to reduce early and forced child marriages and to maintain government interest in the issue. Contrary to other community and provincial stakeholders, CSO representatives had unique views on 18 years as the legal age for marriage. They believed that even at 18, young people/adolescents are still growing, maturing and understanding themselves. It is not until they turn 19 or 20 that their stable years begin. They quoted the example of some other countries such as Egypt and Nepal where the legal age of marriage had been raised to 20 and 21.

“The logic behind keeping legal age at 18 is to give young boys and girl the minimum chance to be themselves and decide for themselves. Personally, I feel below 18, a girls’ body is unfit for child birth and it is a criminal offense to put her body through that.” Technical Advisor National Commission on the Status of Women/UN Women

Another representative highlighted that 18 years as the legal age has been kept as a parameter but it hasn't translated into a reduction in early and forced child marriage in Sindh. The need for focusing beyond legal age to actually changing social systems and mindsets was highlighted to truly make a dent in early and forced child marriages. Similarly, a representative from UN Women/National Commission on the Status of Women stated that the logic behind setting the age of 18 as legal age for marriage is buy time for the young boys and girls to reach an age where they can take informed decisions regarding their marriage. She stated that 18 has been set based on the realities of our country and the legislation is particularly made for people who are in a hurry to get their daughters married so they can wait a few years before doing so.

“18 years as legal age for marriage is there as a parameter. I understand that in law you need black and white references. I don't think it should be raised and I am aware that the age 21 is being contemplated and has received resistance from activists. If we look at Sindh, where the legal age for marriage has been raised to 18, its, not benefiting girls per se. We have to be cognizant that the law is more easily accessed to those with power and young girls being the ones with least power are unable to access it. Families who do not want girls to make choices are using this law against them. I think more than the age, we need to focus on understanding and influencing social mindsets as well as have conversations on what it really means to be 18 and what it means to be a functional partner in marriage. To just rely on the law is what I would call naïve. Law is not going to change social behavior.” Director, Aahung

The key drivers/common reasons for CEFM were also explored. Poverty and the low social status of girls and women not being valued as much as boys, girls being looked at as a possession with an attached economic value was quoted as the top reason for CEFM. A response from a CSO representative classified key drivers of CEFM in the form of a pyramid.

“The drivers can be looked at in the form of a pyramid. At the base of the pyramid is gender discrimination i.e. not valuing girls as much as boys. Following this poverty is one of the main reasons. Families decide to get their daughters married off as that can't sustain mouths to feed or due to dowry's or one thing that is often overlooked at is the unpaid labour a girl brings after marriage in the form of child care and household chores that does not require any economic investments. The other driver is education which we haven't invested in. When we generally invest in societies being educated, we see the age at marriage rise organically and no. of children decline initiating the cycle of investment where girls start giving back to their societies”. Director, Aahung

Most stakeholders agreed that the practice of CEFM was more prevalent in rural areas particularly in low-income families with more number of daughters and fewer resources to support healthier

alternatives for girls, such as schooling, labor force participation and other valued roles. Daughters were often considered as an economic burden and child marriage was often seen as a way to transfer that burden.

Another point of view among stakeholders was that some parents saw child marriage as a way to provide for their daughter's future after them.

“There is very little value for woman and there is no doubt about that. Neither does her life nor her wishes and future matter. We don't consider women anything more than cattle. We do not consider that their lives are anything for themselves. Their lives are meant for service to others. Service to husband, service to brothers, service to parents, service to family, service to in laws and service to children.” Director, Saahil

“The practice of early and forced child marriage is prevalent due to poverty and lack of awareness. People especially girls are not aware of their rights. We talk of urban cities but forget other districts. In addition, it is part of the social custom to get girls married when they reach puberty”. Senior Law Officer, PCSW

“Parents wish and try to settle their daughters in their lifetimes. This is why daughters are considered a burden anyway. If parents pass away, no one takes the responsibility of the girl and she is left alone with no one to protect and look after her.” Teacher (Mardan KPK)

The other most commonly cited driver of early and forced child marriage across all stakeholder groups was avoiding social evils, delinquency, and adultery. Respondents stated that parents feared that with access to education, mobiles, TV and social media, the younger generation is now more vulnerable to many social evils and saw child marriage as a way to protect their children from having sex at an early age. This was more emphasized for girls in terms of

“Parents want to provide their daughters a secure future and to protect her socially after they are gone. Marriage seems as the most viable option.” Technical Advisor, UN Women/National Commission on the Status of Women

patriarchal chastity norms where a girl's virginity is highly valued and where any form of premarital relation can bring potential disgrace to the family.

“One of the biggest drivers of early and forced child marriage is that girls reach puberty and virginity safely. The Sharia law also specified that marriage can be done after puberty, which people interpret as the minimum age for marriage and a sacred solution.” Director, Saahil

“Parents worry that if girls are not married at a certain age they can become sexually active or victims or predators of it. They are considered a beacon of family honour which impacts the whole family and all of this fundamentally comes back to the root cause i.e. gender discrimination which puts girls in this position.” Director, Aahung

“Considering the exposure and access to mobiles, TV and social media, parents are scared that their children will have premarital relationships, commit adultery or elope, therefore parents prefer to get their children married as soon as they reach puberty. I also think this is necessary to eliminate all such societal evils.” Marriage Registrar (Mardan KPK)

“Child marriage is being done to avoid social evils. Ratio of court marriages has also increased. People think it is better to marry children early as before they go on their own and do court marriage.” Teacher (Hyderabad, Sindh)

The third most common driver of child marriage mentioned by all respondents was insecurity as parents fear that girls will be harassed by men while commuting to school.

Lack of education and awareness of the law among parents was another key driver of early and forced child marriage that most respondents stated. It was interesting to see that while education

“In the areas early and forced child marriages are prevalent there is usually a lot of insecurity and hence marriage seems as the best option to keep her safe from being a victim to many social evils including sexual violence.” Technical Advisor, NCSW)

was thought of as a strategy to delay age at marriage, poor school quality and inability of girls to translate education into employment and/or social norms that discourage their employment also made marriage the only viable pathway for girls.

“Lack of education, awareness of the law and deep rooted cultural norms are the main reasons for early and forced child marriage. It is the need of the hour that all molvis, ulema and khatibs should responsibly educate the community about the law and encourage them to abide by it.”
Marriage Registrar (Mardan, KPK)

It was interesting to see that key drivers such as avoiding of social evils, delinquency and adultery were more commonly cited in KPK as compared to Sindh and among marriage registrars as compared to other stakeholders.

Other key drivers of early marriage mentioned though in less frequency included marrying at puberty as per shariah, poor law enforcement mechanisms, less eligible proposals as girls age, preference for younger brides as they were considered to be more obedient and marriage being viewed as pathway to independence from parental problems/household problems.

7.06.2 CEFM Advantages and Disadvantages:

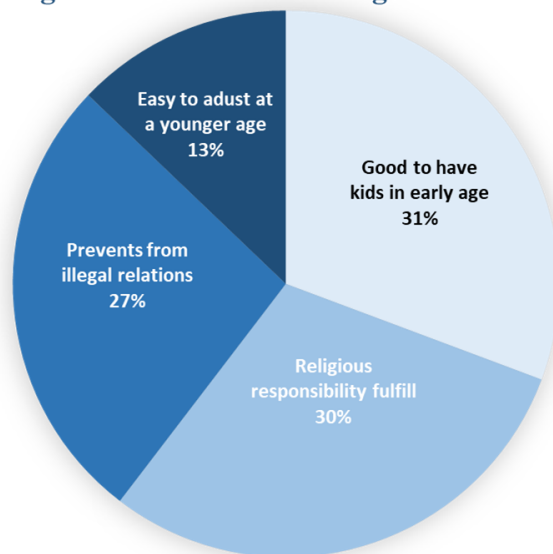
When respondents were asked for the biggest advantage of early child marriages, 31 % said it’s good to have kids at an early age and 30% said early marriages help fulfill the responsibility given by religion. 27% said it prevents illegal relations and only 13 % reported that it’s easier to adjust in a new relationship at a tender age.

The fact that a vast majority cites having kids at an early age as the greatest advantage of early marriages renders special consideration. There is hence a dire need to educate people about the harmful health impacts of early pregnancies, both for the mother and the child.

In agreement with the quantitative findings, responses from different stakeholders also showed that early child bearing because of CEFM was seen as a benefit where parents are able to enjoy their kids grow up while they are still young and have their support in old age. It

was alarming to see that this point of view spanned across all stakeholder groups including LHWs and teachers. Furthermore, some teachers also stated that early marriage was a way to avoid social evils (prevent sexual activity/pre-marital relationships) and protect a girls’ honor. One teacher

Figure 13: CEFM Advantages



also stated that early marriage is a way to avoid genetic problems and birth defects as a younger couple is relatively more likely to have stronger chromosomes. In KPK, one teacher also highlighted that early marriage after puberty follows example from Sunnah and Shariah. This was contrary to their opinion of ideal age for marriage where most teachers had quoted age ranges between 20-30 years.

Only two marriage registrars in Sindh and one in KPK highlighted that by getting married and having children early would also mean children will serve as helping hands and support the family economically. They also believed early child marriage directly leads to reduction in court marriages, eloping and rape and other social evils in the society.

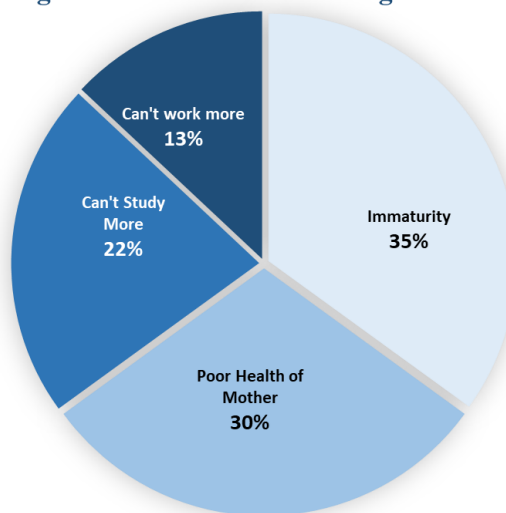
Similarly, only one CSO representative stated that for some girls' early child marriage may be their way to escape household violence, gaining some social status in society or their way of having children and a family to love.

"We need to look at child marriage very carefully. I think we have vilified child marriage in many ways without providing alternate solutions. The global development community has said that this is a wrong practice when in fact child marriage for many girls maybe their out. It maybe their way to escape households of violence, might be their way of gaining some sort of social status in the society or might be their way to have children and family to love. A lot of things come into play that cannot be brushed aside. There have been many mothers who are not pushing for their girls to get married since they themselves got married at a young age and they understand the complications and what they had to go through. They want to break the cycle but we are not giving them any avenues to do so. What do we do with a girl who can't go to school or who doesn't have any economic viability, who is not allowed outside of the house? When you have a male dominant society, it leaves women and girls powerless." Director, Aahung

For the biggest disadvantage of child marriages, 35 % said immaturity towards relationship and 30 % said that poor health of mother is the biggest disadvantage of early child marriage. 22 % respondents reported inability to continue education is the biggest disadvantage; whereas only 13 % said that inability to continue work is the biggest disadvantage.

When interviewed, respondents shared their immature fantasies about marriage at such a young age and how far from reality their

Figure 14: CEFM Disadvantages



perceptions were of life after marriage and the responsibilities associated with it. Some respondents also added that early marriage also meant they were unaware of their reproductive health and reproductive health rights which led to a trauma on its own.

Many respondents also shared that they felt a pervasive effect of age on marital quality

“I was a kid and the only thing I fancied about marriage was getting dressed up, applying henna, wearing jewelry and new clothes. I used to discuss this with my friends. I never thought of what marriage would bring for in reality for me.” Female, Loralai, Balochistan

“I had no awareness of responsibilities or life after marriage since I was so young.” Male, Loralai, Balochistan

particularly in terms of communication and negotiation skills with spouses. It was interesting to see that this was more the case for female respondents as compared to males. None of the respondents reported intimate partner violence but did share conflicts particularly due to finances, lack of trust and inability to fulfill responsibilities.

“He never consults me nor involves me in any decision making. We fight only when I don’t listen to him particularly because I am continuing my job as he is unable to meet our expenses and when he always questions me due to lack of trust. Female, Loralai, Balochistan

In line with the quantitative data, poor health outcomes particularly after pregnancy and child birth were identified as the most adverse risk of CEFM.

“The girl is so young herself. She doesn’t have the strength to bear children. When she gets pregnant, she becomes further weak and doesn’t have the strength for delivery. After first child, the second child follows soon. Where will she restore her nutrients and energy if she bears children after children? My health was perfectly fine before marriage. Now my body parts keep aching especially because I got pregnant at the age of 13 and didn’t consume the proper nutritious diet with milk and fruits. Now I feel, my eldest daughter is lagging behind in cognitive functions and partly it’s my fault since I was unable take proper care of her at such a young age. Female, Loralai, Balochistan

Respondents in favour of early marriages were of the view that health risks are not associated with young age at marriage but with pregnancy and child birth in general.

“The health of girls deteriorates after child birth regardless of the age at marriage. In fact, the older she gets there are greater chances of complications during child birth. “Female, Batagram, KPK

Majority of other stakeholders including LHWs, teachers, marriage registrars and CSO representatives also listed adverse impacts on health as a consequence of CEFM and saw no benefit from this harmful practice. In addition to health risks, CSOs highlighted that gender based violence and women disempowerment were significantly associated with early child marriages.

“There is no benefit. Child marriage is scary. You have ended her life at that age. You have stolen her childhood. She does not get to become her own person and all she does is fit in the mold that everyone has decided for her and try to win their approvals all her life.” Director, Aahung

“Young girls are often more easily barred from accessing their family and other social support networks which creates isolation for them and mental health distress. They cannot negotiate family planning, access to health care and are not economically viable for themselves. They don’t have a career or education under their belt and have no monetary control to access resources independently. Director, Aahung

“Early child marriage is associated with mother death, child death and permanent weakness of the mother and poor mental health outcomes. Poor girl barely has anything left in her after she is done giving birth to many children. Going through her own terrible adolescent years, where her own emotions are not in control she may suffer from very severe postpartum depression. Director, Saahil

“Largely the talk is about health based risks especially if a young girl gets pregnant since she is already entering marriage with a variation of health problems such as anemia and her growing body is not physically ready to hold a pregnancy and deliver a child. Morbidities like obstetric fistulas and low birth weight babies cause us to enter a whole new cycle of poverty.” Director, Aahung

LHWs in particular stressed upon the fact that young girls are often anemic, unaware of a healthy diet, are unable to seek timely medical care which leads to poor birth outcomes such as premature birth and low birth weight among others. Being so young, they lack decision making skills and confidence to raise their children well. Only one LHW in Sindh, also highlighted the disruption in education as a risk of early child marriage and two LHWs in KPK also raised concern on the risk of gender based violence particularly physical or sexual intimate partner violence at the hands of their husbands or in-laws if they are unable to fulfill their marital duties.

“Girls are unable to complete their education or pursue higher education as a result of early child marriage. Their roles are merely limited to that of care giving for their husband and children. This also impacts their psychological well-being and leads to depression and despair especially if there is an un-wanted pregnancy.” LHW (Mardan, KPK)

Teachers raised concern in the ability of young girls to fulfil household responsibilities, raise children well and their risk of facing domestic violence when failing to do so. They also highlighted mental health impacts and stated that in such cases there is mostly lack of understanding and communication between the couple. One teacher summed up the risks in one phrase “lost childhood” where girls who are supposed to be studying and playing are now delivering and raising child after child.

“There are many adverse impacts of early child marriage. At such a young age girls’ are unable to fulfill their responsibilities and often faced gender based violence at the hands of the husband. Often the husband sends the girl back to her parents and marries again especially if she is unable to give him children. In addition, this also impacts her mental health and her caregiving responsibilities towards her children. She is unable to dream/aspire or take out any time for herself. In addition to her husband she also has to look after her in-laws.” Teacher (Mardan, KPK)

Marriage registrars also discussed the disadvantages of early marriage on boys stating that early child marriage not only disrupts the boys’ education but also results in additional economic pressure in the form of providing for the household. Due to limited education opportunities for them, career advancement is also limited and often result in unemployment and drug abuse. In addition, one marriage registrar quoted that in his experience the ratio of successful early child marriages was very low and such fragile marriages also tend to have an adverse impact on the children.

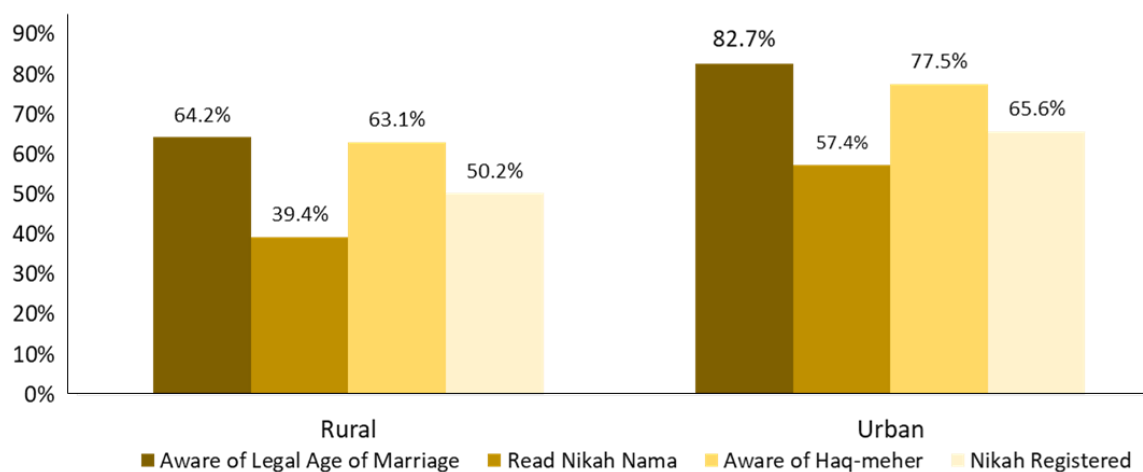
“In our profession, we have seen that the success ratio of early child marriages remains low. We have seen boys resorting to drug abuse after being unemployed after marriage. This also directly impacts the lives of the girls.” Marriage Registrar (Hyderabad, Sindh)

“One of our teachers used to say that a girl becomes mentally mature at the age of 15. Therefore, if a girl attains puberty at the age of 11 or 12, she should not get married before she turns 15. Similarly, for boys, 18 years should be the ideal age of marriage” Marriage Registrar (Mardan, KPK)

7.06.3 Awareness of Marriage Formalities:

Various aspects of marriage formalities starting with the very basic awareness of legal age of marriage, to awareness of haq-meher, reading nikahnama and getting the marriage registered need to be understood to devise detailed and impact oriented policies and education campaigns. Figure 15 – 17 show these aspects for different regions, provinces, gender as well between those who had early marriages and those that didn't.

Figure 15: Marriage Formalities Awareness Urban vs Rural



Source: Section 4A

Awareness of legal age of marriage is more in those who got married above 18 years of age versus those who didn't, live in urban areas versus rural areas and males versus females. This difference is statistically significant.

Similarly, awareness on legal age of marriage as defined by the child marriage restraint act in each province was also assessed among key community stakeholders who can play a vital role towards reducing early child marriages. It was interesting to see that most Lady Health Workers were aware of the legal age of marriage of 16 in KPK and 18 years in Sindh.

Teachers on the other hand were relatively less aware and quoted broad age ranges instead of a single legal age for marriage.

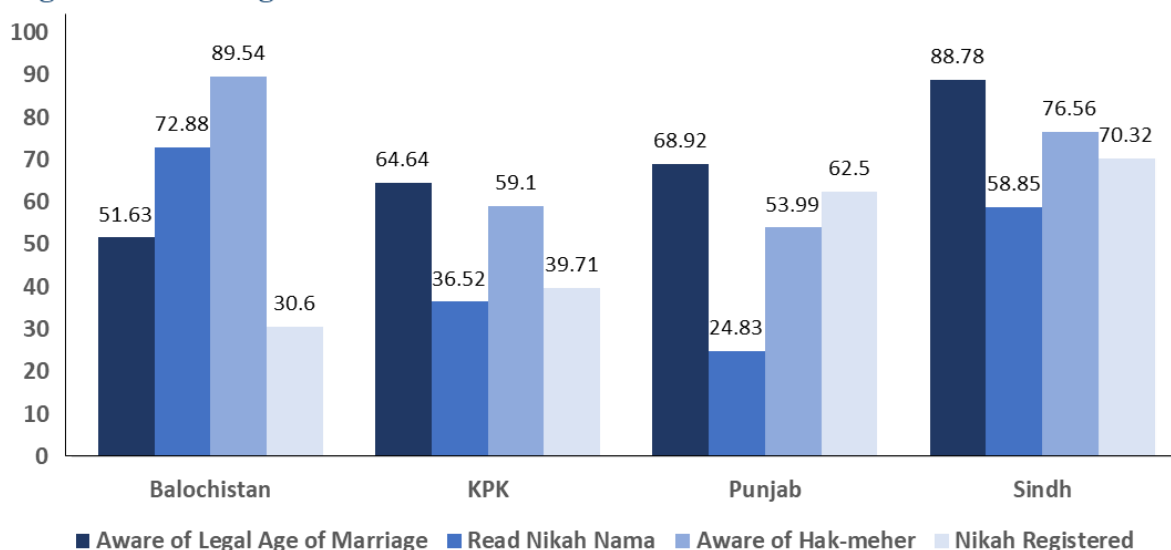
Alarming, findings showed that majority of the marriage registrars interviewed in Sindh, believed that according to Islamic law marriage could be legalized as soon as both the girl and boy hit puberty and that this law could not be amended. One marriage registrar classified this age as above 14 years as per the shariah law and another stated that legal age for girls is 11-14 and for a boy is 12-15 years of age.

“Age is not a condition for marriage. Marriage is possible if both the girl and the boy are wise and have reached adulthood.” Marriage Registrar (Sindh)

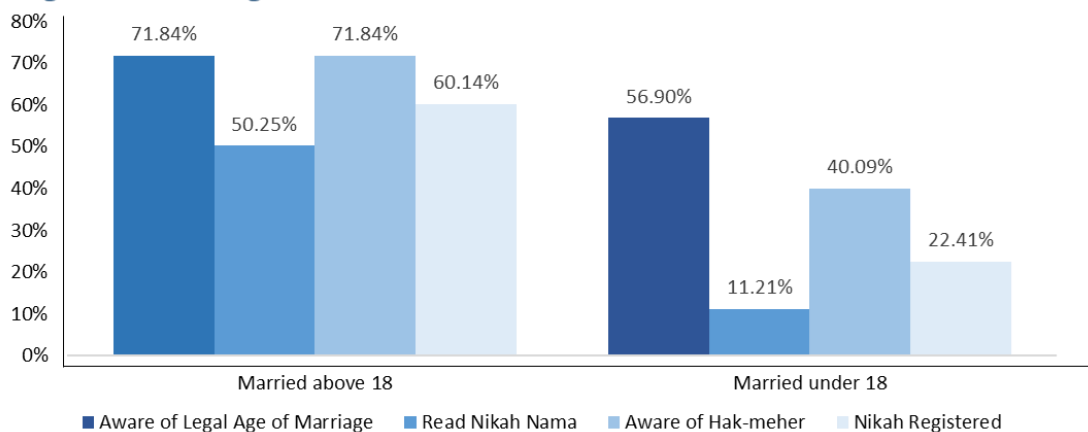
“We are Muslims so we strictly follow what the Shariah says. We cannot make any amendments to our religions like Christians or Jews and we are not concerned with that is the legal age globally” Marriage Registrar (Hyderabad, Sindh)

“Islam has not defined a set age for marriage and marriage can happen after puberty. However, according to the 1973 constitution the legal age for marriage is set at 18 years” Marriage Registrar (Sindh)

“There is no legal age specified as such but Shariah mentions that a boy and girl can get married after puberty” Marriage Registrar (Mardan, KPK)

Figure 16: Marriage Formalities Awareness Province wise

Similarly, greater percentage of respondents who got married above 18 years of age had read their nikah-nama as compared to those who got married under 18 years of age. Less percentage of rural

Figure 17: Marriage Formalities Awareness CFEM vs Non CFEM

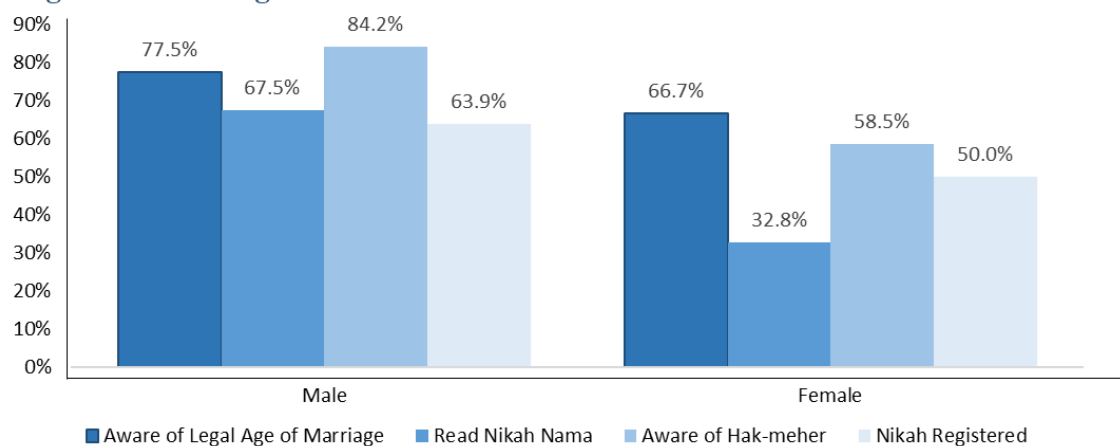
Source: Section 4A

respondents and women had read their nikah-nama at the time of marriage than their urban and male counterparts respectively and these differences are statistically significant. Same findings were observed for awareness of haq-meher, and registration of nikah.

Findings from the qualitative part of the study augmented this data further as majority of the victims of CEFM recalled not reading their marriage contract at the time of the wedding. Reasons

cited for this were multifarious including illiteracy and the family not thinking it necessary to allow the bride or groom to read the contract.

Figure 18: Marriage Formalities Awareness - Males vs Females



Source: Section 4A

"I am uneducated. I could not understand it." Male, Killa Saifullah, Balochistan

"No I didn't read my marriage contract. My family does not let the girl read the contract. They don't take consent before finalizing the proposal, let alone allow us to read the contract." Female, DG Khan, Punjab

In many cases, it was alarming to see that the marriage was officiated without any contract by the marriage registrar. This was more prominent in Balochistan and KPK.

"There was no marriage paper. The Qazi officiated the marriage." Female, Dadu, Sindh

"There was no written contract at that time and I was not aware of any written contract. The marriage registrar officiates the marriage verbally with two witnesses and then asked about whether we accept the marriage." Male, Killa Saifullah, Balochistan

Only in rare cases, respondents mentioned going through the marriage contract either with the help of their parents or the marriage registrar.

These findings further reflect how the policies and programs can be targeted to areas and population sub-groups that lack in basic knowledge regarding marriage processes and their rights.

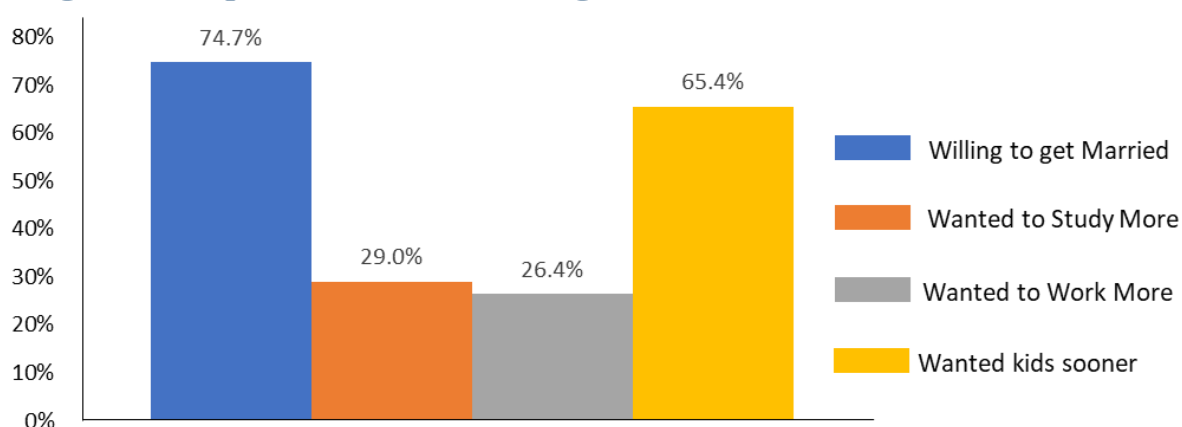
“Yes my father brought the nikkah nama and made me go through its’ clauses including divorce and my monthly sustenance. After my father, the marriage registrar also went through these clauses and my father asked me what they should write in each section.” Female, Batagram, KPK

“The nikah khwan guided me and went through the marriage contract with me prior to marriage.” Male, Batagram, KPK

7.07 Aspirations: Education, Work and Marriage of Children:

Figure 19 helps further assess individual respondents’ aspirations before they had an early marriage. The high percentage of respondents reporting they were willing to get married must be viewed with a grain of salt. Given the interview settings and the general cultural practices, it could be hard for a respondent to admit that they were forced into marriage. Nonetheless, the low percentages of those who wanted to study or work more does show the overall aspirations of individuals which are far from productive. Instead, the high percentage of individuals wanting to have children earlier into marriage (i.e. less than 2 years) in a way corroborate that maybe individuals fantasize marriage and kids more than having education or career.

Figure 19: Aspirations before Marriage CEFM



Source: Section 6A

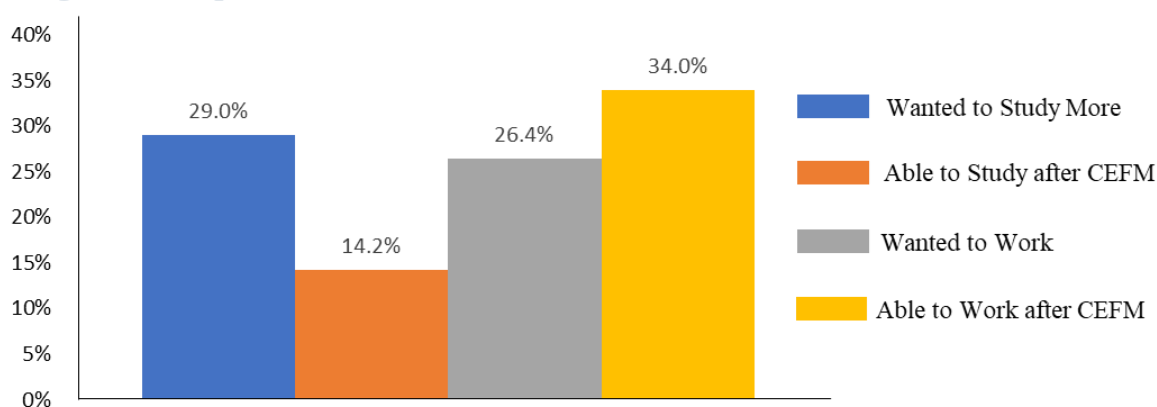
Findings from qualitative aspect of the study, however, show that most of the respondents expressed wishes to become doctors, teachers, engineers, businessman among other professions but could not fulfil these aspirations as they got married. In some cases, these aspirations aligned with what parents wanted for their children while for others it was the complete opposite.

“I got married after the 8th grade. I wanted to complete my education but couldn’t as I had to work after marriage to support my family and then kids came along and responsibilities increased. I wanted to become a lawyer or engineer. Male, Killa Saifulla, Balochistan

“I wanted to complete my education and become a doctor. However, my father was set on getting me married as I had reached puberty and stated that what would girls do with all the education.” Female, Loralaj, Balochistan

When asked how many of the CEFM respondents were able to study post marriage, only 14 % responded with an affirmative as compared to 29 % who wanted to study. However, even though 26 % said they wanted to work more before marriage, 34 % said they actually worked after marriage. The section on economic outcomes reveal that approximately 39 % of CEFM respondents required debts to keep the expenses running increasing the financial burden on these families. We next attempted to

Figure 20: Aspirations - Before and after CEFM

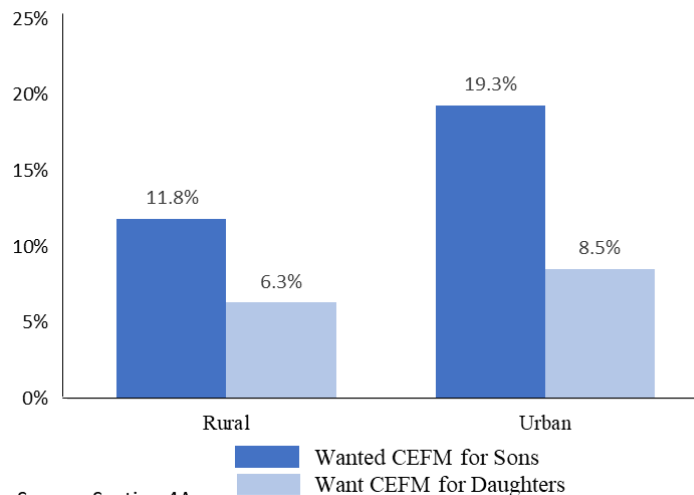


Source: Section 6A and 6B

assess the respondents’ preference for an early age marriage for their kids, both for sons versus daughter as well as in rural versus urban locations.

When asked about their aspirations for their children vis-à-vis them having an early age marriage, greater percentage in rural areas said yes for both sons and daughters. The difference is statistically significant (p-value for Sons: 0.0018; p-value for daughters: 0.000).

Figure 21: Aspirations for Children - CEFM or Not



Source: Section 4A

Interviews with victims of CEFM showed that most of the respondents were of the view that if given a second chance neither will they get married at such a young age nor make such a choice for their children.

It was interesting to see that respondents' from Batagram particularly were pro early marriage even if their own marriage had been unsuccessful, which could be understood as indicative of how deeply embedded this practice is in the social norms and culture of the province.

"I think a girl should only get married once her education is complete and she has gotten a chance to pursue the career/job she wants. This is how she will learn to interact with different types of people, understand the ways of life and gain the confidence to navigate her life. Marriage is a huge commitment and when we get married we have to sustain so many different kinds of relationships. Female, Multan, Punjab

"I would never get married at such a young age (13 years) if I had another chance. I am totally against it. These days are meant for playing and for school and no one should snatch them away. I will not choose this for my children." Female, Loralai, Balochistan

"No I would not get married at this age given a second chance. I will wait to get married till I complete my education and have a business or job as financial problems after marriage become very difficult" Male, Killa Saifullah, Balochistan

*“No I would never get married at this age if I had a second chance and nor would I marry my children at a young age. One should be mature enough to understand the responsibilities of married life before getting married. I try to sensitize my husband on this as well so that our children won’t have to go through what I went through. Getting children married at a young age is not a wise decision”
Female, DG Khan, Punjab*

Even though a healthy percentage (82%) of CEFM respondents expressed their wish to get their

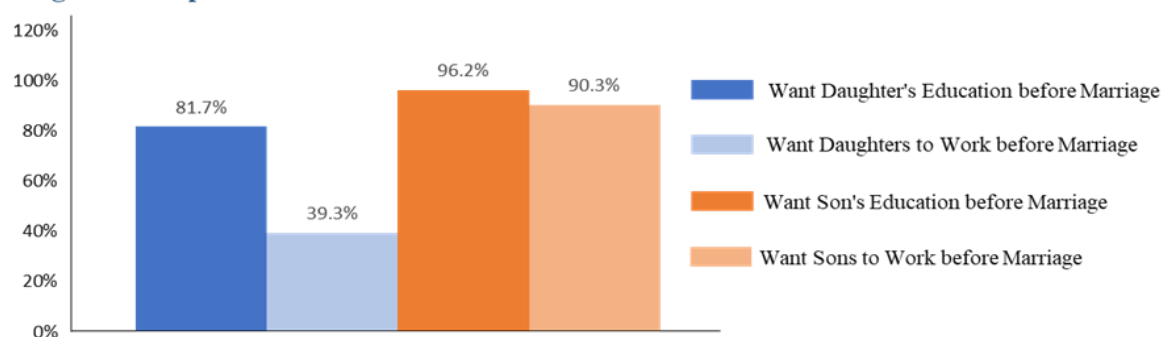
“It is not necessary that if my marriage didn’t work out, my daughters’ wont either. I would still choose to marry her at the age of 16 since girls at this age are still developing and raw and can be casted into different molds. They are not set in their ways and therefore have a easier time adjusting to change. On the other hand, girls who grow older have more exposure and develop their on set of values and therefore find it difficult to adopt to their in-laws’ ways of living. My marriage was unsuccessful not because I was 16 when I got married but because my husband turned out to be a drug addict and my in-laws interfered a lot on our lives.” Female, Batagram, KPK

daughters educated before marriage, only 39 % said they want their daughter to work and hence earn before marriage.

“I am in favor of early marriages as that is how you can save your children from many social evils and from going on the wrong path.” Male, Batagram, , KPK

This is also a potential area for policy design i.e. emphasizing the importance of being financial independence for both genders.

Figure 22: Aspirations for Children



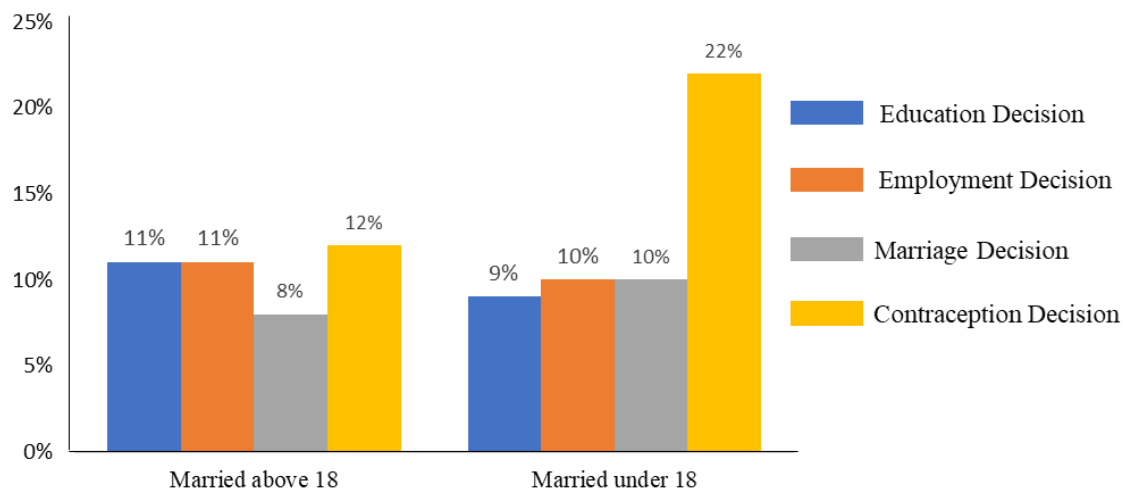
Source: Section 6C

7.08 Decision Making:

7.08.1 Major Life Decisions:

Next, we wanted to explore the authority of women for major life decisions such as education, employment and marriage. In particular: to see how many women can take these decisions solely by themselves.

Figure 23: Women's Decision - CEFM versus non-CEFM

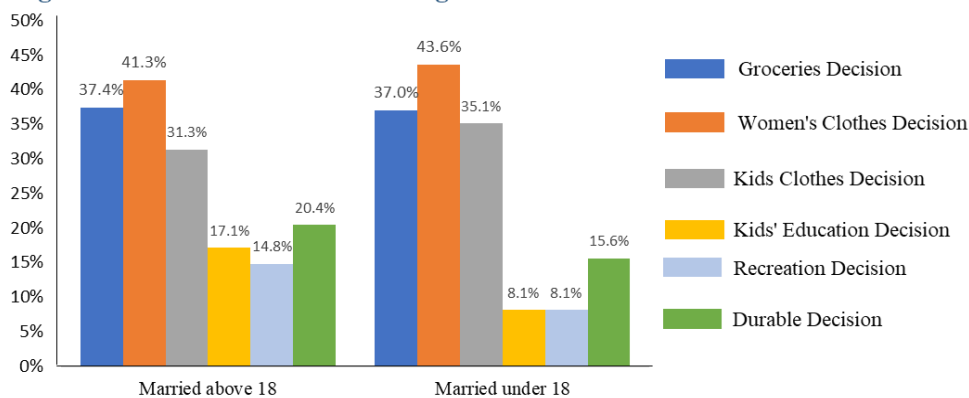


Source: Section 3

It is interesting to see that the percentage of women who can decide themselves about whether they can start or continue education, seek employment or continue work, whom and when to marry is very low (approximately 10 percent) and also statistically the same between both groups. However, a promising finding is that more women who had an early marriage can take the decision to use birth control as compared to those married above 18 i.e. 23 % versus 12 %. This difference is statistically significant as well (p-value: 0.0000).

7.08.2 Everyday Life Decisions:

Furthermore, women have better autonomy for decisions regarding groceries and kitchen items, their own clothing and footwear and those of their kids.

Figure 23: Women's Decision Making - CEFM versus non-CEFM

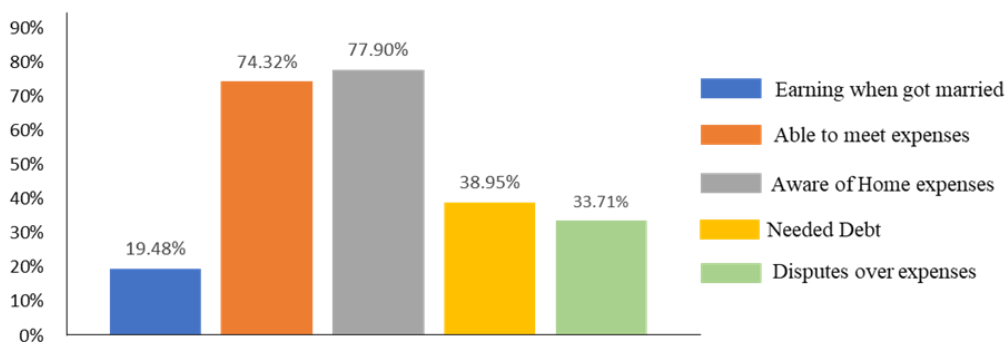
Source: Section 3

However, women who can decide themselves regarding their kids' education is not just less overall; but also those had CEFM are at a severe disadvantage for such decisions. This difference is statistically significant too (p-value: 0.0022); further supporting the notion of how a child bride is too young to be given much agency for a critical dimension of their kids' life i.e. education.

7.09 CEFM Outcomes:

7.09.1 Economic Outcomes:

These stats are for those who had early child marriages. Even though only 19 % reported they were earning when they got married, 74 % said they were able to meet home expenses. However, 39 % said they required debt to cover expenses and 34 % said there were disputes over home expenses. This data is available only for respondents who had an early marriage so comparisons cannot be drawn.

Figure 25: CEFM - Economic Outcomes

Source: Section 7

Furthermore, the data from the income section states that of those who started working under 18 years of age, 5 % did so to support an early age marriage.

Similarly, findings from the qualitative data showed that as a consequence of not being able to complete their education due to early child marriage, most respondents reported impacts on their economic well-being. Male respondents stated that lack of educational attainment meant that they got low paying jobs which meant it was difficult to meet expenses after marriage.

For overall economic well-being, the following were assessed in IDIs and FGDs:

- 1) who controls the household income including any earnings generated by women;
- 2) who makes decisions regarding health care;
- 3) who makes decisions on large household purchases;
- 4) who makes decisions on small household purchases and
- 5) whether a woman is able to visit her family.

Overall for most respondents, the control of the household income, decisions regarding health care and decisions on large household purchases were controlled by men. Women were only involved in small household purchases such as food. With respect to visiting family, most woman stated that they had the freedom to visit their family and only a few said that their husband has problems when she visits their family. Most respondents regretted not completing their education and pursuing their careers. Only in rare cases, respondents had the motivation to complete their education after marriage.

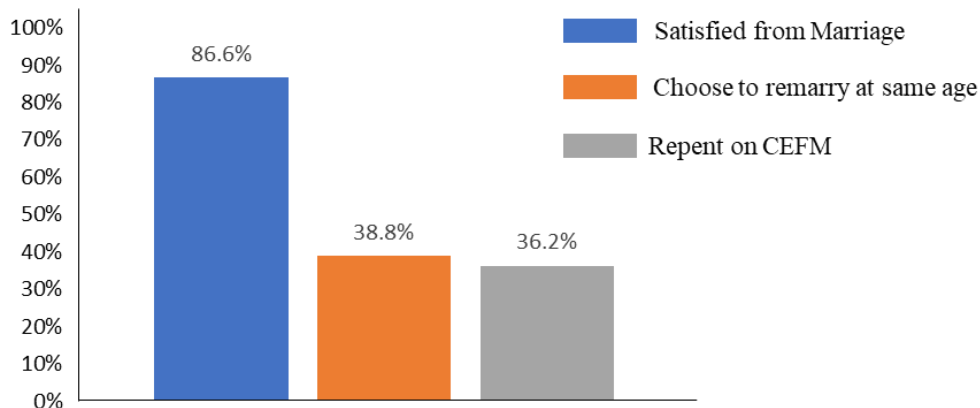
“My dream was to get educated and have a good life; become financially independent so that I won’t be a burden on anyone.” Female, DG Khan

7.09.2 Marriage Satisfaction and Mental Health Outcomes:

Marriage satisfaction outcomes reflect a very intriguing situation; and must be interpreted with skepticism or may be corroborated from qualitative findings. Even though 87 % of respondents said they were satisfied from their early age marriage, when the same question was asked in a different way the responses changed i.e. only 39 % said they’d chose to get married at the same again. Only 36 % of the CEFM respondents could openly admit that they resent getting married at an early age – a number that may be underreported because of the

interview setting and the cultural norms. Since this data is also available only for respondents who had an early marriage so comparisons cannot be drawn.

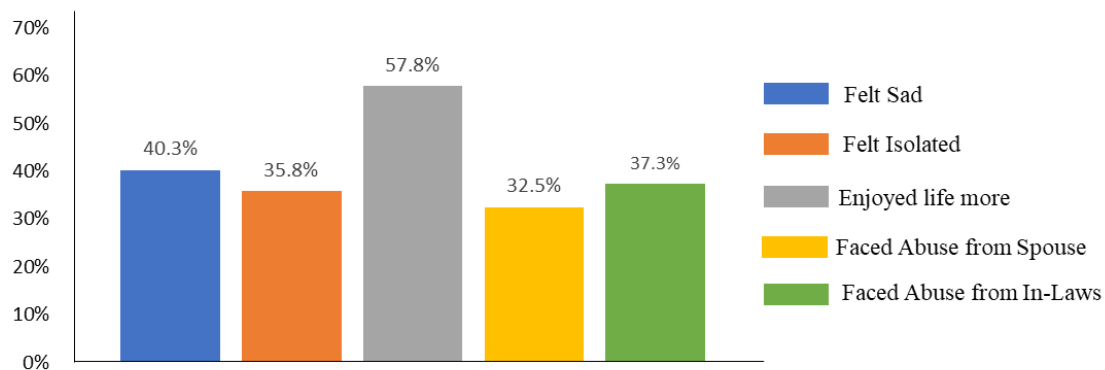
Figure 26: CEFM - Satisfaction Outcomes



Source: Section 7

The questions on mental health outcomes show that roughly 40 % of the CEFM respondents had felt sad or isolated from their families or friends post marriage; whereas 58 % of respondents reported they had enjoyed life and life events more with their spouse because of tying the knot earlier in life which is another dimension of CEFM, generally ignored. Approximately one third respondents had faced abused either from spouse or in-laws. Sexual abuse from spouse was reported by only two respondents. The highest type of abuse reported was verbal (57 %, followed by physical i.e. 31 % and emotional 9%).

Figure 27: CEFM - Mental Health Outcomes



Source: Section 7C

And while 37 % of respondents reported being abused by in-laws, no sexual abuse from in-laws was reported. 77 % cases were of verbal abuse, 15 % physical and 8 % emotional abuse. It was interesting to see in the qualitative part of the study that majority of the female

“I was always worried and anxious at the beginning of my marriage. My husband was quite older to me and I didn’t feel at ease in sharing my feelings with him and so I hid them. My mother-in-law was quite critical of me and used to say (about me) that she doesn’t know how to manage a house and fulfill her responsibilities. Even if I did something good, she came into the habit of criticizing me which made me feel suffocated ad I used to sit alone in my room thinking I have no one. I couldn’t share with my parents as their words still remained in my head where they had said I am supposed to tolerate and manage my house and not look back. They had said that I had to understand and adopt the family’s ways. My in-laws made me feel like I was never good enough and with time I changed myself and made myself meet my in-laws expectations” Female, Multan, Punjab

respondents reported that being underage at the time of marriage meant they were shy, lacked confidence and felt scared of expressing their concerns or feelings. Many respondents reported being bullied at the hands of husbands and in-laws. Some of the words that frequently appeared in responses to this question included anxiety, worry, suffocation and loneliness.

7.09.3 Mother’s Health Outcomes - Antenatal & Child Birth:

Various antenatal health measures were asked from *all* women who had ever given birth. On average, the women received their first ante-natal care at 3 months’ pregnancy mark. Table 12 shows the key results.

Table 12: Comparing Antenatal Health			
Antenatal Health Outcome	Not CEFM	CEFM	p-value of difference
See anyone for antenatal care during pregnancy	87 %	92 %	0.0307
Anemic during pregnancy ²⁸	34 %	42 %	0.0568
Underweight during pregnancy	32 %	39 %	0.0736
Complications during pregnancy	23 %	43 %	0.0000

A good percentage of women in the sample had sought antenatal care during pregnancy even though 4 % didn’t know or remember whom they consulted during pregnancy. Also, the

²⁸ 14 % women didn’t know if they were anemic during pregnancy. 15 % didn’t know if they were under-weight, and 11 % didn’t know if they had any complications during pregnancy. These percentages were calculated excluding the ones who didn’t know their health status.

percentage of women who sought medical care during pregnancy is higher among the respondents who had an early marriage. More CEFM mothers were anemic, underweight and had complications during pregnancies and all these differences are statistically significant at different levels of significance.

The next step was to assess if the treatment during pregnancy varies between the two groups of mothers. Only three dimensions i.e. giving blood sample, mother's weight being taken and information provided for spacing next child were found to be statistically the same between the two groups. In all remaining aspects of checkup; mothers who didn't had an early marriage reported higher percentages. Together these two finding reinforce the prevalence of poor health of CEFM mothers: they are not only at a disadvantage to begin with, but also disproportionately treated during pregnancy.

Figure 28: Consultation During Pregnancy

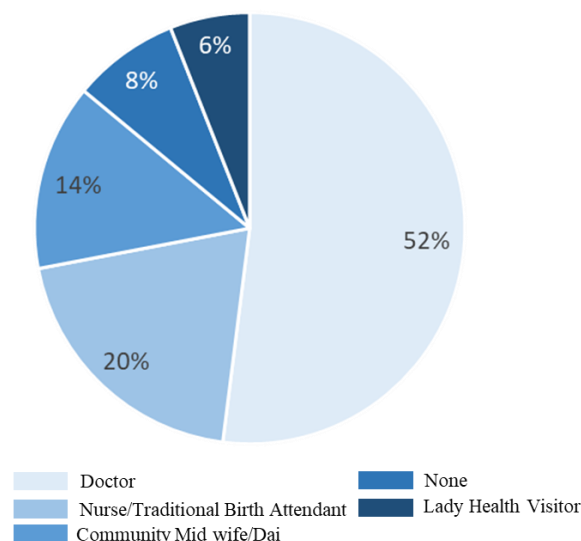


Table 13: Comparing Pregnancy Checkup			
Pregnancy Check-Up	Not CEFM	CEFM	p-value of difference
Blood Pressure measured ²⁹	74.0 %	68 %	0.0636
Gave a Urine Sample	71.0 %	63.5 %	0.0498
Gave Blood Sample	65.0 %	61 %	0.2147
Mother's Weight Measured	55.6 %	57 %	0.656
Informed about importance of spacing next child	58.5 %	57.5%	0.4150
Card of Mother's Immunization Record	60.0 %	46.7%	0.0134
Tetanus Injection received during pregnancy	78.0 %	70.0%	0.0413
Received SP/Fansidar during pregnancy	67.0 %	59 %	0.0813
Baby's weight measured at birth ³⁰	62.0 %	43 %	0.0000

²⁹ 9 % women didn't know if their blood pressure was measured during pregnancy. 8 % didn't know if they gave a urine sample or blood sample during pregnancy. 10.6 % didn't know if their weight was measured. 9 % women didn't know if they were informed about importance of spacing next child. 15 % didn't know about their own immunization record, or receiving tetanus injection, 23 % didn't know about SP/Fansidar during pregnancy. These percentages were calculated excluding the ones who didn't know their health status.

³⁰ 56 % women didn't know if their baby was weighed at birth. The percentage reported excludes these women.

Only 17.3 women in the sample reported having a C-Section to deliver their child, and almost all of them had breastfed their babies. Figure 29 and 30 show who assisted with delivery, and place of birth. 48 % of all births in the sample had happened at home.

Table 14: Delivery Outcomes	
Delivery Outcomes	% of women who said yes
Delivered via C Section	17.3 %
Did you ever breastfeed	98.0 %

Figure 29: Assistanc with Delivery

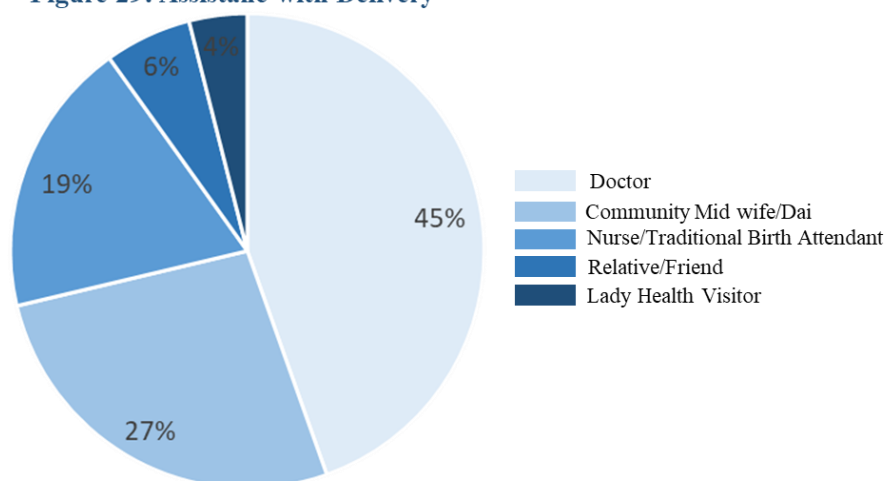
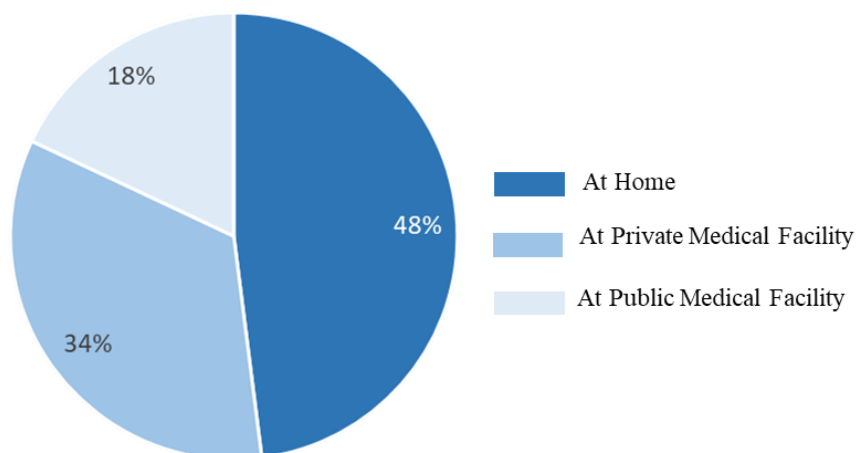


Figure 30: Place of Birth



7.09.4 Mother's and Baby's Health Outcomes – Postnatal:

60 % of all the women said they stayed in the medical facility after giving birth. One concerning finding is that approximately 24% of women don't know or remember if their own health status or their baby's health status was examined before they left the medical facility.

Figure 31: Mother's Health Checkup Before Leaving Medical Facility

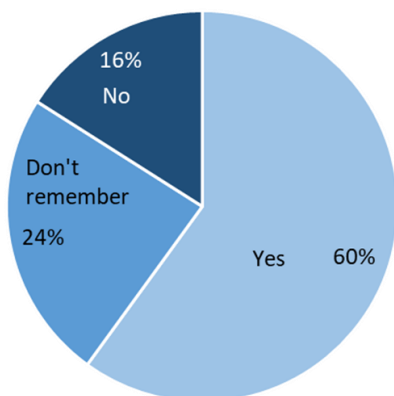
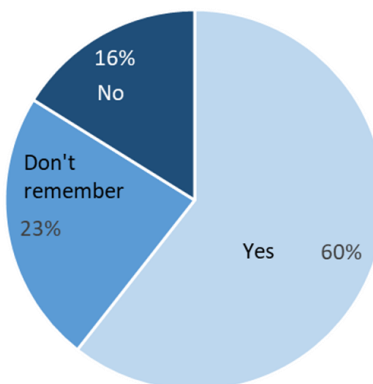


Figure 32: Baby's Health Checkup Before Leaving Medical Facility



For family planning counseling and information dissemination regarding various methods and how to access them: approximately 20 % said they don't recall any such conversations, 52 % said they were informed in detail and 28 % said they were not.

Figure 33: Information Source Family Planning Methods

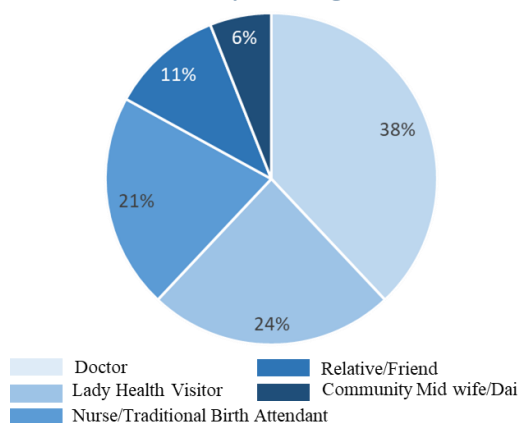
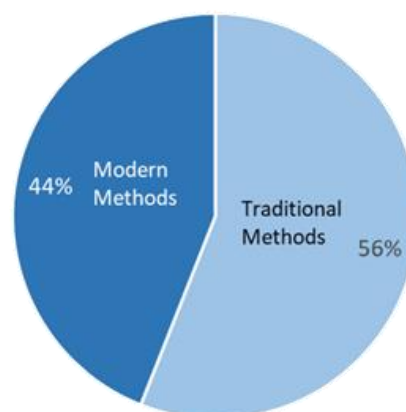


Figure 34: Types of Family Planning Methods



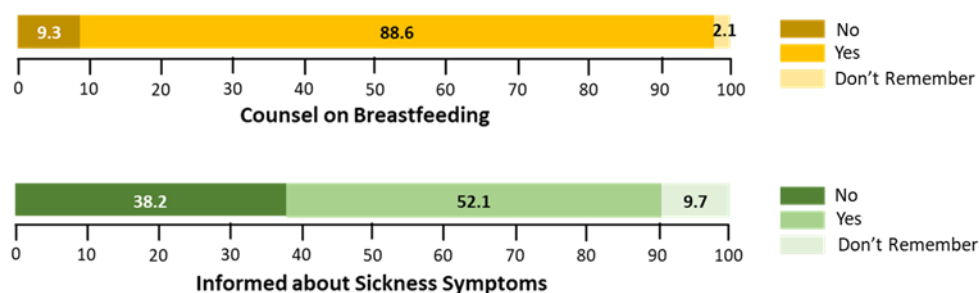
56 % of the women in the sample report using traditional birth control methods.

When various post-natal health outcomes are compared between those who had early marriages versus those who didn't, greater percentage of women report positive health outcomes like staying in the medical facility, getting baby's as well as mother's health checked before leaving the medical facility, being provided with family planning counselling and going for a follow up checkup. However, greater women in the CEFM group report being prescribed multivitamins post-delivery.

Post-Natal Outcomes	Not CEFM	CEFM	p-value of difference
Stayed in the medical facility ³¹	70 %	63 %	0.0628
Baby's Health checked before leaving the facility	88 %	81 %	0.0152
Mother's Health checked before leaving the facility	87 %	78 %	0.0074
Family Planning Counseling provided	62.3 %	55.64 %	0.0900
Went for follow up checkup after delivery	59.4 %	49 %	0.0208
Prescribed Multi-vitamins post delivery	61.4 %	75.4 %	0.0031
Dummy of Cumulative Score of Baby's Post Natal Health	20 %	18.5 %	0.3208

The survey included four dimensions of post-natal health checks of babies. Since there was no difference found between the two groups of mothers, we thus report the results of the whole sample of mothers. 88 % women were counseled on the importance of breast-feeding, 52 % were informed about possible symptoms of sickness of the baby when they were leaving the medical facility.

Figure 35: Baby's Post Natal Health Checks – All Mothers

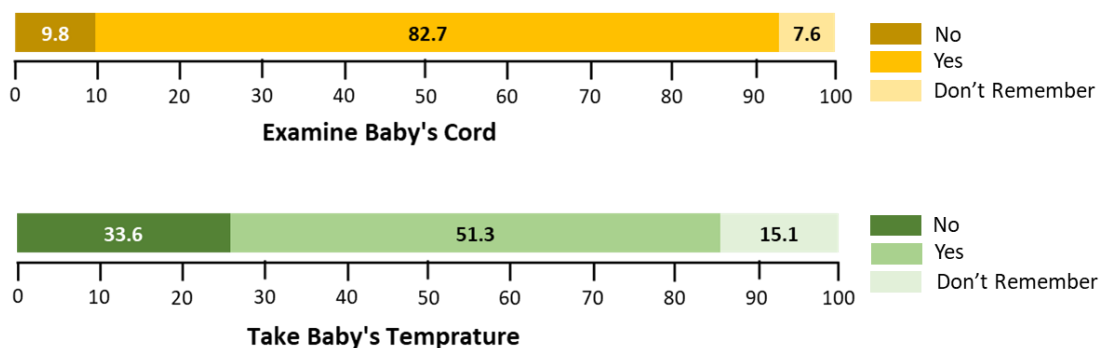


Source: 7D (Post Natal)

³¹ 9 % women didn't know if their blood pressure was measured during pregnancy. 8 % didn't know if they gave a urine sample or blood sample during pregnancy. 10.6 % didn't know if their weight was measured. 9 % women didn't know if they were informed about importance of spacing next child. 15 % didn't know about their own immunization record, or receiving tetanus injection, 23 % didn't know about SP/Fansidar during pregnancy. These percentages were calculated excluding the ones who didn't know their health status.

Baby's cord was examined in 82 % cases, and temperature was taken in 51 % cases. Table 15 shows that when all these health measures were combined into a cumulative score, and compared between two groups, no statistical difference was found.

Figure 36: Baby's Post Natal Health Checks – All Mothers



Source: 7D (Post Natal)

7.10 Regression Analysis:

As a final step of our analysis, we fit a PROBIT model to the data. This analysis looks to understand the factors driving early childhood marriage. The dependent variable i.e. the outcome of interest is a binary variable that take a value of 1 for those that married in childhood and is zero otherwise. The choice of explanatory variables derives from the literature and includes factors that we expect to influence the probability of early childhood marriage. The model has a R-Squared of 11.86 % and is overall statistically significant indicating a good fit and high explanatory power of the variables included.

As seen in table 16, the coefficients of gender, age, education of household head, current school status of respondent, and household receiving government cash transfer are statistically significant and of the same sign as expected. Hence, we find that markers of household vulnerability as captured through low education levels of the household head, or whether the household receives government assistance increases the likelihood of early childhood marriage. Similarly, girls, and those who are younger, are more likely to see early marriages, while those who attend school are less likely to see early marriages. The coefficient on location i.e. rural has expected sign, although not significant.

Table 16: PROBIT Model for Understanding CEFM	
VARIABLES	CEFM
Gender (1 for Females)	0.828 *** (0.082)
Location (1 for Rural)	0.008 (0.086)
Age	-0.0194 *** (0.00313)
HH Education – Attended School	-0.166 * (0.0866)
Respondent Attended School	-0.1470 * (0.0889)
Respondent Currently Enrolled	0.144 (0.462)
HH received Cash Transfer from Government	0.171 ** (0.0847) (0.0813)
HH Monthly Income	9.11e-07 (8.80e-07)
Constant	-0.907 *** (0.177)
R ²	0.1186
Observations	2,387

Standard errors in parentheses *** p<0.01, ** p<0.05, * p<0.1

7.11: Challenges in Implementation of Child Marriage Restraint Acts:

The qualitative part of the study also explored laws and their application and enforcement in relation to child marriage and the role various sectors and stakeholders can play to eradicate this practice. By unpacking the issues, the findings enable us to gain a better understanding and will aid in development of more nuanced approaches to child marriage and the law.

As far as core elements of the legislation were concerned, all stakeholders agreed (community, government and CSO) that the core elements of legislation related to child marriage included the minimum age of marriage at 18 years, and free individual and informed consent for both boys and girls.

When asked about the challenges to enforcement of legislation, provincial stakeholders highlighted was the lack of awareness in this issue in the public and lack of access to the law. They stressed on the need for gearing up rigorous advocacy and sensitization efforts within communities through various key players including government, NGOs and religious leaders. They were of the view that child marriages are not considered a pressing issue even with CSOs.

“Parents and the community are often not aware of the law and hence do not follow it. Social Welfare Department, KPK

One provincial stakeholder in KPK was of the view that for proper implementation it is necessary that laws are drafted after thorough research and in context of Pakistan to gain acceptance from the public and actually show impact. She also highlighted that when laws are passed, capacity building initiatives for the different levels of implementation need to go in line.

Furthermore, stakeholders highlighted that absence of a birth certificate/CNIC in rural areas also meant that it was difficult to verify age at the time of marriage registration.

When interviewed, the member at the Commission for the Status of Women at Khyber Pakhtunkhwa

“The laws we draft are copy pasted/adapted from global laws and not drafted in context of Pakistan after thorough research therefore, it is difficult for the community to relate and accept the law. Furthermore, the current law has punishment and fines if the offense is committed but limited focus on how to prevent it from happening.” Member, KPK Commission on the Status of Women

“Police often consider early child marriage as a family issue and take no action. Similarly, judges are not sensitized to recognize this as an offense.” Director, Social Welfare Department, Sindh

shared that the problem around child marriages can be categorized in issues such as;

1. Despite there being a law around child marriages, it needs revision as the age for both girls and boys should be 18 years.
2. The punitive measures for the violation of the law are too lenient.
3. The law is also hardly implemented as marriage is considered to be in the private sphere.

Similarly, insights of CSO representatives on the challenges to enforcement of the implementation were taken. All CSO representatives that one of the main challenges was access to the law for those who were most affected and silent forces that worked against concepts of independence, economic empowerment and women's agency to say no. Specific to Punjab the CSO representative mentioned that the child marriage law was 16 years which was contradictory to the requirement of the child bride having an ID card since CNIC is issued at the age of 18. Furthermore, the representatives highlighted that while laws existed, on ground implementation was non-existent owing to the weak and underperforming law enforcement machinery.

"Has 18 years of age under the Sindh Child Marriage Restraint law changed the status of women on ground? Has it made any differences? I would be reluctant to say yes as girls are getting married at the age of as early as 9 years old. We have made so many women related legislations yet cases of violence are on the rise and no progress has been made in economic empowerment." Technical Advisor, NCSW

"Who are the people who are upholding the law? The police and judiciary are not necessarily sensitized as to why these laws are in place to protect and they are not ideologically in sync as well. So if a family does go to the police, will they act on this? In addition, there are parallel legal systems working where one can refer to the shariah law which doesn't have age as parameter and quotes puberty. To me all of this is a hot mess." Director Aahung

The issue of 65-70% children being un-registered at birth was also raised as a challenge as it makes it difficult to verify age at the time of marriage registration. In addition, given the high stunting prevalence in the country it was highlighted that even an 18-year-old will look younger than her age.

"What are we basing this legislation on? If a girl is married and presented in court what are the chances that we are able to verify her actual age. Currently we are only registering 30-35% births in this country so we won't even know how old she is to begin with as we don't know when she was born. Before we use age as a parameter for marriage law or as a matter of fact for anything, we need to get our structures and systems in place." Director, Aahung

All representatives were of the view that progress towards effective implementation of the marriage law could not be made unless there was a coordinated effort by all relevant stakeholders and the underlying social systems and mindsets are changed.

“There is not much we can do unless we tackle the social expectations and social systems. It really comes down to whether a girl wants this and when she wants it or is she being forced or manipulated, allowing her to have a voice to find the outlets to say this is what I want or don’t want. I don’t think any kind of legal system with numbers can effectively work unless it has legs to stand on” Director, Aahung

“Implementation is not the responsibility of one department. A sincere coordinated effort is required with the gender mainstreaming concept penetrating from the parliamentary level to home based workers since half of Pakistan’s population comprises of women. So whatever the initiative, it is necessary that women’s opinion are taken into account, that they are made a part of the planning and decision making process and that is when laws will start working.” Technical Advisor, NCSW

It was concluded that the issue of child marriage was complex not only because it had multiple drivers and was embedded in the social system of the country but because the main offenders in this case were parents or close relatives who in fact are their children’s biggest well-wishers.

“The issue is complicated as the offenders are parents who are also their children’s well-wishers. It is the truth that no one is sincerer to child than his or her parents. But it is due to lack of awareness that parents are caught up in their old traditions despite having our intentions. Children rely on their parents and therefore it is complicated to legislate it. Even if you have provided awareness to young girls on the legal age of marriage and she can take a stand but if taking that stand means her father will go to jail then she might as well take the bullet for her family. So stronger punishments/enforcements will get us nowhere and in fact take us in the backward direction So it is important to keep these realities in mind when you legislate. You have to make sure women feel safe in exploring their full potential and that opportunities are available for them so that women who don’t undergo child marriage can be pointed out as successful examples where they are healthy, successful, enjoyed their childhood and are a productive individual contributing to society. Technical Advisor, NCSW/UN Women

7.11 Roles stakeholders can play to prevent/reduce CEFM:

All stakeholders were asked about the role they could play to end early and forced child marriage. Among LHWs in KPK and Sindh, almost all respondents agreed that as an influential member of the community it was their responsibility to make efforts to end early and forced child marriage. Most respondents specified that these efforts could only be limited to awareness creation/providing information on adverse impacts of early child marriages in the community.

“Yes we will play our role and it is our responsibility to create awareness on the negative impacts of child marriages and discourage the community for practicing it.” LHW (Hyderabad, Sindh)

Some LHWs shared that they were already advocating against early and forced child marriages as part of their regular meetings, household visits and focus group discussions with women; linking early child marriage with poor maternal and newborn health.

“We are already discussing this issue in our meetings and focus group discussions with women’ particularly the various health issues associated with early child marriages. We visit seven households daily and we create awareness regarding this issue there as well.” LHW (Hyderabad, Sindh)

Two of the LHWs in KPK stated that their role was limited to counselling and awareness creation; but if the parents were adamant and had already decided then LHWs could not intervene.

“People do listen to us and that is why there has been a decline in early child marriages. However, community from the district Bajaur and refugees from Afghanistan despite acknowledging the harmful impacts of child marriage, still go ahead with the practice in face of poverty. Also if parents have already decided, then it becomes very difficult for them to change their decision. There is a dire need for community awareness campaigns.” LHW (Hyderabad, Sindh)

“You know that we belong to the “pashtoon” society. We can only counsel families and create awareness. But if the decision has already been taken by the parents, there is not much we can do.” LHW (Mardan, KPK)

Teachers in Sindh also acknowledged that their potential role could entail awareness sessions with parents on the benefits of education in general and the harmful impacts of early and child marriage as well as motivating their students to excel academically and continue to pursue their education. They also mentioned that schools could be used as avenues to educate children especially girls of the rights they are legally entitled to including marrying by their own free will and consent. Most teachers were of the view that students were comfortable in talking about poverty and unemployment and other household problems but did not discuss issues/pressures such as marriage. Majority teachers also stated that they would intervene if they ever found out one of their students was being pressurized for underage marriage. They also provided accounts of some case studies for early and forced child marriages and how an intervention had worked or not worked in preventing it. With respect to keeping girls' in school, teachers shared that efforts had been made by the department in the form of conditional cash transfers linked with enrolment and attendance, pamphlets, scholarships for girls and even bearing of school fees through their own personal expenses.

“Yes we can play a positive role in ending child marriage especially for girls by conducting awareness sessions with their parents and motivating them to be ambitious, dream big and continue and complete their education.” Teacher (Hyderabad, Sindh)

“Yes I encourage my girls to get the same level of education as boy students.” Teacher (Hyderabad, Sindh)

Teachers from KPK however, had a different point of view and believed that when a parent decides to marry his or her child was a personal issue that they could not meddle with. In fact, one of the teacher was of the view that early marriages are beneficial for children. Only two teachers agreed that they could play a positive role by spreading awareness on the issue in their schools and communities.

“We are only responsible for our own families. It is the parents' choice on which age to marry their children.” Teacher (Mardan, KPK)

All provincial stakeholders were asked about the steps being taken to implement the child marriage law in their province and steps that should be taken for stronger enforcement. All stakeholders were of the view that a holistic approach needed to be taken by engaging police, marriage registrars, lawyers, judges, community members, religious and political leaders, health care workers, teachers, NGOs/CBOs in order to make a true impact. They specified that all stakeholders needed sensitization,

*“Child marriage saves children from going on the wrong path and avoids spreading of social evils”
Teacher (Mardan, KPK)*

capacity building and a framework for more coordinated and concerted action instead of working independently in siloes.

“PCSW can only support/monitor and provide technical assistance to local government, but they have to act on it. We link up with all concerned departments since early child marriage is not the agenda of one department. It is a multi-sectoral issue that can be addressed through health, education, population welfare, women development, social welfare etc. We are currently working on linking marriage registration with Nadra/digitization of marriage registration” Director, Punjab Commission on the Status of Women

“In 2014 we conducted a project titled “training of nikkah registrars and union council officials across 36 districts of Punjab. The project focused on training nikah registrars and union council officials on the who register marriages to be aware of the legislation and verify age by looking at B-form and CNIC. We were able to do it 26 districts, 11 are still left. Through this project we were able to develop a manual and issue licenses for nikah registrars and train them on focusing them on the nikah nama as part of marriage registration process. We also made the punishment for harsh for this offence. The punishment is PKR 25,000 fine and 3 months’ jail for nikah registrars who don’t fill all sections of the marriage contract and 7 years’ jail if they don’t take consent. In addition, through the efforts of PCSW we were able to pass the law that allows women to claim 50% of their haq mehr in case they seek divorce from their husbands. We are trying to make it to 100%. We also have a 24/7 helpline 1043 that is for addressing specific issues for women including early and child marriages. If we do get a complain we provide guidelines, inform the police of the area but it can be tricky as police does not want to interfere in personal matters. So far we have advised 858 women in this regard.” Senior Law Officer, Punjab Commission on the Status of Women

“This issue needs to be tackled by engaging different stakeholders since it is not possible for one person or one organization to deal with this deep rooted issue. Child marriage is a threat to health, education, economy as well as the community. It can only be implemented properly if all stakeholders are involved and on one page” Member, KPK Commission on the Status of Women

In this regard the Chairperson for the Sindh Commission on the status of women also shared that the commission had already made efforts to train police officer, judges, prosecutors and government officials on the issue. As a consequence, the chairperson also shared that there had been an increase in the number of reported early and forced child marriage cases in the province.

“The council of Islamic Ideology can play a crucial role in spreading awareness of early and forced child marriages. Like we have a campaign for polio, we also need to have a campaign against child marriages” Social Welfare Department, KPK

“We have distributed IEC material to create awareness about the Sindh Marriage Restraint Act 2013. However, more rigorous trainings and follow ups are required with those involved in the enforcement of the law.” Social Welfare Department, KPK

Likewise, the director from Social Welfare department agreed that there was need for rigorous trainings and follow-ups. The director from Social Welfare Department, Sindh also shared efforts to develop IEC material in English, Urdu and Sindhi to create awareness on early and forced child marriage at the grass root level.

The director also added that multiple departments such as Women Development, Commission on the Status for Women and Human Rights Commission should join hands to address the issue and district level governance needs to be strengthened. In addition, teachers were recognized as another key resource to take this agenda forward especially those in secondary schools as that is when risk of early marriage begins.

When CSOs were asked on their potential role towards ending early child marriages, the following were highlighted as efforts made on their part:

- Providing free legal aid
- Awareness raising
- Developing tools for community partners and using alternate mechanisms for sensitization such as mobile cinemas to get information out in the communities
- Life skills based education program
- Advocacy on raising the age for marriage from 16 to 18 in Punjab and other provinces

“We provide free legal aid for women and we write letters to reported cases of early child marriage/domestic violence and other such issues to make them aware of our service. That’s all we can do. In the end its’ up to them to avail this service or not.” Director, Saahil

“Our life skills based education program has a core focus on gender transformative skills. There is a portion there which addresses age at marriage quote comprehensively for middle school years. In addition, the program focuses on building self-esteem as well as realization of right to education, employment, consent and choice for marriage. From a standpoint of agency, our section on legal age of marriage not just talks about laws but also guides on what it means to negotiate, possible referral mechanisms, seeking out support from people who hold more power and support them e.g. teachers.” Director, Aahung

“I was a part of Rahnuma FPAP when advocacy campaigns were being carried out to raise the legal age of marriage to 18. As part of UN Women we also conducted a costing study to see the economic losses attributable to early child marriage in the country.” Technical Advisor, NCSW/UN Women

While significant efforts were made on ending early child marriages by CSOs, the general sentiment across this stakeholder group was that they could only create awareness, advocate, generate data but could not hold the law makers and policy implementers accountable.

“To rely solely on CSO’s to work on this issue is ridiculous. We are just a mere coincidence in this whole set up. Ending of early child marriages has to be a state owned campaign. Our accountability is that we gather statistics and provide evidence. That too we are limited to the cases that are reported. Many cases still stay un-reported or go to the police” Director, Saahil

Furthermore, it was acknowledged that a lot of work had been done for a push for policy change under the influence of the global donor community however, very little change was seen on the ground even 10 years after policy change. The respondents said that even if the age at marriage had seen a rise, it was heavily weighted on age at marriage in urban areas while it remained stagnant in rural areas.

All respondents were of the view that only policy change was ineffective unless it was backed up by social behavior change communication through community driven projects and different forms of media, affordable and accessible health and education as well as skill development and economic empowerment of women.

“Many are doing wonderful work and there was a lot of push for policy change and I kind of hold the global donor community accountable for that. The push was coming from where the funding was coming from i.e. they wanted to see policy change as the highlight of the project. It’s been 10 years since we got that change but it hasn’t done what it was supposed to do. We need to stop and think that maybe this is not the solution and no gains will be made until we change social mindsets and develop social, health and education systems that work. The reason we haven’t made a dent in this practice is because we haven’t invested in girls. Social patterns of behavior take a generation to change but we know by example that education works well over a generation. On top of that we also know reasons for school absenteeism and drop-outs i.e. mobility and access issues, WASH facilities etc. It really is just a prioritization issue and by not addressing social systems we allow this issue of early child marriage to remain cyclical.” Director, Aahung

“Ending of early child marriages has to be a state owned campaign with follow up of good health facilities, family planning facilities, schools, pro-bono lawyers and sensitization of the police. We need to impart essential life skills in girls that raises their self esteem to stand up for themselves and prevent them from dropping out or at least enable them to struggle for the rest of their lives” Director, Saahil

“In Punjab, the legal age for marriage for girls is still 16 and for boys its 18. Gender inequality starts here. Sindh has been able to amend its’ legislation by the efforts and advocacy from CSOs. We also need that push for Punjab. Once the law is changed, we need to work on multiple levels including legislation awareness and awareness of harmful impacts of child marriage through media and advocating with the government to create opportunities for girls. There is a lot of work to be done and there is need for a collaborative and coordinated effort from the development sector.” Technical Advisor, NCSW/UN Women

8 Conclusion and Policy Recommendations

8.01 Conclusion

This research by Shirakat is an attempt to rekindle and strengthen the efforts made thus far in reducing the prevalence of CEFM in Pakistan. Using representative primary data from all over Pakistan and a mixed methods research design, it has made a cogent attempt to develop an in-depth understanding of prevalence, reasons and impact of early marriages. This study has highlighted the marriage processes, widespread beliefs, and prevailing practices for early child marriages as associated drivers, economic and health outcomes of CEFM, as well as barriers to enforcement of pertinent legislation. The report concludes that the issue of child marriage is complex: not only because it has multiple drivers and is embedded in the social norms of the country but also because the main offenders in this case are usually parents, close relatives or guardians who in fact are their children's biggest well-wishers. They are more naïve and less informed/educated to recognize the actual downside of child marriages, and in their wish to secure a better future for their children they end up propagating a vicious circle that has intergenerational effects.

Thus, there is a need to take a tailored approach to target areas, populations and sub-groups who are at risk to prevent CEFM and support those already victimized to improve their overall well-being. Interventions should be multi-sectoral i.e. by engaging police, marriage registrars, lawyers, judges, community members, religious and political leaders, health care workers, teachers, NGOs/CBOs in order to make a true and ever lasting impact. Each intervention should be adapted to each specific context, age group and marital status, and the mode of delivering such interventions should be practical and culturally acceptable, using contextually appropriate strategies. The study concludes that in the end, preventing child marriages needs to be a state owned campaign with multiple goals. While stakeholders such as LHWs, teachers, CSOs, religious leaders can work on social behavior change communication through community driven specific projects, such initiatives need to be backed by general, affordable and accessible health and education as well as skill development and economic empowerment of women by the government.

8.02 Recommendations

Based on the findings, here are our policy recommendations:

1. Making laws coherent across the country, implementation stricter and consider altering the punishments – imprisonment does not really work in our culture imbued with norms like obedience and patriarchal mindset where girls' prime responsibility is to guard the honor of her family.

2. Providing incentives to those who report early age marriages in their communities
3. Making birth and nikah registration process easier
4. It is indisputable that education should not just be compulsory, but also easily accessible to the masses; irrespective of gender, and economic standing. However, to magnify the returns to education to combat child marriages; we particularly recommend
 - a. Encouragement of education for girls with appropriate policy tools to ensure greater attendance, especially at the secondary school level
 - b. Targeted gender based education programs including appropriate content in the curriculum to teach students about the their sexual and reproductive health.
5. Education should also be complemented with imparting skills to improve economic empowerment and earning potential of girls
6. Mass awareness campaigns to increase the knowledge about harmful effects of early pregnancies for the mother, the child and the future generations.
7. Initiation of dialogues with religious scholars to get them on board with a minimum legal age of marriage; as much as our religion focuses on sexual activity within halal relations, it also makes 'consent' mandatory before marriage which is mostly absent in CEFM.
8. Media campaigns to shift the focus of youth away from fantasies of marriage, and more towards productive roles

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LEGISLATIVE
REVIEW
OF

CEFM



SHIRAKAT

Partnership for Development

Secretariat, MenEngage Alliance Pakistan

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SECTION I: Introduction & Background

“Marriage shall be entered into only with the free and full consent of the intending spouses”.

The Universal Declaration of Human Rights, 1948

This report is being prepared for Shirakat – Partnership for Development and is based mostly on desk review of the documents available online. To prepare the report, a wide range of documents from UN, (I)NGOs, Networks, regional governmental bodies and donors have been reviewed. The report will present a synthesis drawn from various documents, project reports, research reports, evaluation of projects and consultative reviews conducted by various actors. In terms of strategies the report has also looked at action plans from regions other than South Asia as well. The report fulfills the following objectives:

- a) Provide a well-researched and holistic picture of the prevalence of CEFM and the reasons behind the practice – both in complex emergency and development situation;
- b) Gather information on legal situation around CEFM in Pakistan;
- c) Map government led, civil society and parliamentarians’ initiatives on the issue and any announced future plans;
- d) Map the South Asian regional alliances/networks/initiatives working on CEFM and any action plans developed thereof; and
- e) Identify strategies and actions that can support existing alliances and networks working on prevention of CEFM in Pakistan.

1.01 Introduction:

Child marriage, or early marriage, is any marriage where at least one of the parties is under 18 years of age. Forced marriages are marriages in which one and/or both parties have not personally expressed their full and free consent to the union. A child marriage is considered to be a form of forced marriage, given that one and/or both parties have not expressed full, free and informed consent¹.

Child, early and forced marriage (CEFM) is a harmful practice that violates human rights. This practice has greater effect on girls and women than boys and men globally. Child early & forced marriage is rooted in patriarchy which believes that that girls and women are inferior to boys and men and hence promote gender inequality. CEFM is a complex issue which is sustained due to

¹ <https://www.ohchr.org/EN/Issues/Women/WRGS/Pages/ChildMarriage.aspx>

poverty, lack of education, cultural practices, and protection issues i.e. sexual violence and harassment. CEFM affects the lives and futures of girls and women around the world. With the CEFM, girls in most of the cases cannot continue their education, have early pregnancies which are sometimes life threatening as the risk of maternal mortality increases with early pregnancies, and girls being young are put in a very vulnerable position where they do not have any decision making authority about their own lives. They are not just at the mercy of their husbands but in countries like Pakistan at the mercy of their whole family of in laws in some cases. This overall situation makes girls and women more vulnerable to domestic violence, discrimination and abuse. This situation further reduces their options of taking up any economic, political and social activities even if they want to. In some communities CEFM results in women and girls attempting to run away from their homes, or to commit suicide to avoid the marriage.

As per OHCHR, globally, more than 650 million women alive today were married as children². Every year at least 12 million girls are married before they reach the age of 18. This means that 28 girls are married every minute and that one in every five girls is married, or in union, before reaching age 18. In the least developed countries, this number doubles – 40 per cent of girls are married before age 18, and 12 per cent of girls are married before age 15. The practice is particularly widespread in conflict-affected countries and humanitarian settings³.

The Covid-19 pandemic poses another threat to any progress made against child marriage. In the current pandemic of Covid-19, 10 million additional girls are at risk of child marriage as a result of school closures, economic stresses, service disruptions, parental deaths due to the pandemic and pregnancy.⁴

Over past two decade, CEFM has gained more attention at local, national and international levels with a growing realization of the importance of this issue in development of various countries especially the gender related indicators. CEFM is believed to affect a range of developmental indicators i.e. economic development, education, health, and social justice. Moreover, international human rights conventions and international entities started to stress the need to take measures to address CEFM. After the adoption of framework of Sustainable Development Goals (SDGs) the efforts are enhanced to link these to the implementation and monitoring the Goal 5.3 to eliminate all harmful practices, such as child, early and forced marriage and female genital mutilations.

² Child is any person less than the age of 18 years as defined by UNCRC

³ <https://www.ohchr.org/EN/Issues/Women/WRGS/Pages/ChildMarriage.aspx>

⁴ UNICEF. Covid-19: A threat to progress against child marriage. 2021

Although data is limited for several countries, however various development and humanitarian organisations / actors report that they have observed the practice of CEFM to increase when there is a natural disaster. The Resolution adopted by the Human Rights Council on 22 June 2017; 35/16. Child, early and forced marriage in humanitarian settings also noted with concern “that the incidence and risk of child, early and forced marriage is highly exacerbated in humanitarian settings by various factors, including insecurity, gender inequality, increased risks of sexual and gender-based violence, breakdown of the rule of law and State authority, the misconception of providing protection through marriage, the use of forced marriage as a tactic in conflict, lack of access to education, the stigma of pregnancy outside marriage, absence of family planning services, disruptions in social networks and routines, increased poverty and the absence of livelihood opportunities”.

1.02 Causes of Child Marriages

The underlying main cause behind the CEFM is the patriarchal mindset which takes women and children especially the girls as a commodity that can be sold, exchanged or given in settlement of disputes between families, tribes or clans.

Pakistan like the rest of the world is a patriarchal society where men have the authority over women in all decisions at various stages of lives of women and girls. This stratification based on gender provides the advantage of access and control over all kinds of resources and hence giving them charge of the family especially women and children. On the other hand, through this women and girls are rendered an inferior and dependent position that becomes the basis of all male power over women and girls in all social relationships and gives men an authority to make decisions for women and children especially girl children. In practice, women form one of the three pillars on which most of the disputes arise in the society. It is commonly said that zar, zan and zameen⁵ are the basis of all ills. This in fact equates women with the two other material resources or property i.e. wealth and land⁶.

⁵ Zar is wealth, zan is woman and zameen is land.

⁶ Patriarchal Pakistan: Women’s Representation, Access to Resources, and Institutional Practices, Khalid Chauhan

This thinking and societal set up is behind the various harmful cultural or customary practices such as vanni⁷, sawara⁸, pait likhi, sang chatti, badal, bazu, watta satta, and marriage with Quran etc. Through these practices, the girls / adolescents and young women are used as an object which can be used to settle feuds by giving one or two girls to the aggrieved family; or can be exchanged in marriage where someone is not getting a match for marriage; or they are made to give away their right to property by marrying them with Quran, literally meaning that they do not have any worldly needs and they forego their right to any worldly goods.

Although data on customary marriages in Pakistan is highly scarce, but one study⁹ conducted on the quantum of domestic violence against women in six rural areas of Pakistan provides some information on customary marriages. During the study questions were also included on how the marriages of the respondents took place. The study found that 12 percent of all marriages were the result of vanni or vanni, swara, sang chatti, badal, bazu i.e. to settle blood feuds; 58.7% were watta-satta / pait likhi i.e. exchange marriages; and pledging a fetus; in 7.9% cases bride was bought; 1.0% marriages were badle-sullah i.e. to settle dispute other than murder and 0.1% women were married to Quran¹⁰. Ages of respondents ranged between 18 to 83. Median age at marriage was 16 while the range of age of marriage fell between 9-37 years. Most of the women interviewed (63.7%) did not have any education.

All these practices are not only rights violation but some of these practices lead to living under domestic violence or the fear of violence all their lives. For example, women / girls married to Quran lead secluded lives and have no right to enjoy any social events, visit any places or have any recreational activity. The women given as swara or vanni are treated in most cases as slaves and are subject to physical, sexual and psychological violence.

Poverty is another reason for CEFM. Mostly poor households living in rural areas having large family size with meager income / resources tend to shift some of the economic burden of a child

⁷ Vani is a Pashto word derived from "VANAY" which stands for blood (A Social Custom "Vani": Introduction and Critical Analysis, Arshad Munir and Naseem Akhtar). The meaning of the Vani is to hand over

the girl(s) in marriage to the aggrieved party of a different tribe/clan (enemy) to resolve the blood feud. The custom is prevalent in some parts of Punjab as well. Usually this type of decisions are made in an informal decision making body (Jirga or panchayat) by the leaders of tribe.

⁸ Sawara is a custom of child forced marriage prevalent in some areas of Pakistan and Afghanistan where a girl is forcibly married to the member of a tribe against which a crime was committed.

⁹ Customary Marriages in Rural Pakistan, by N Rehan, MD, Kanwal Qayyum, MPH, Research Associates, Lahore. Pakistan, Research Scholar, Department of Public Health, University of Melbourne, Australia

¹⁰ In some parts of Pakistan, women are symbolically married to Quran which means that they forego their right to inheritance in favour of their male members of the family and will not claim anything worldly.

who they think is already going to be contributing to another family as an adult. So the earlier she is sent off, the better because there is no point in keep investing in a child which later will not be contributing to the well-being of the family as the girls are considered “praya dhan” meaning wealth belonging to someone else.

Another major reason is the notion of family honour which is always linked with women’s sexuality and their behavior. As a girl reaches puberty, the probability of her exposure to incidences of sexual harassment, abuse and violence increases. The family comes under increased pressure if their girls is sitting at home unattended by the parents and is perceived a great risk for the family honour Even if a woman / girl is harassed or abused or violated it is considered to be her fault and it is said that she has brought shame to the family. Any girl known not to be a virgin is usually stigmatised and has less chances of getting a good match as people will not consider her worthy of marriage because she has “lost her honour” and have tarnished her family’s honour, even if she loses her virginity as a result of rape or incest. The risk of sexual violence against women and girls is high especially in rural areas and it urges parents to minimise this risk and protect their daughters through marriage at an early age. This serves as a safeguarding strategy against disrepute and also to secure the future of their daughter¹¹.

Sexual harassment on the way to school or in school or the fear of sexual harassment while travelling to and from schools can also lead to drop out of girls from schools or parents removing girls from schools when the girls reaches puberty. When a girl is sitting at home and the parents see her in front of them all day, they fear more for the family honour and her protection and safety which leads to an abrupt end to the girls’ childhood by marrying them off at an early age.

Moreover, the legal framework is very weak and any existing legislation are not fully implemented. Pakistan has Child Marriages Restraint Act 1929 in place according to which the minimum age of marriage for girls is 16 and for boys it is 18. There is also punishment and fine for violation of the law, however there were hardly any cases registered. In incidences where the cases were registered it was very hard to prove the age of the child due to lack of birth registration. In recent years after devolution some provinces have changed the age of marriage for girls and have increased the fine / punishment for violating the law. However, there is still a long way to go as there is lot of resistance among religious actors to align the age of marriage with provisions of UNCRC or holding the marriage null and void when a case is registered.

¹¹ Thematic Report: Unrecognised Sexual Abuse and Exploitation of Children in Child, Early and Forced Marriage, October 2015, ECPAT with support from Plan International

Children's birth registration rate in Pakistan remains very low. Overall only 42%¹² children are registered. The PDHS data indicates that children under age 2 are less likely to be registered (39%) than children age 2-4 (44%). The registration of older children is primarily driven by the practice of asking parents to produce a child's birth certificate for school admission. Although there is no huge gender disparity in birth registration, there is still very wide gap between rural and urban. In urban Pakistan the overall birth registration rate is 60% as opposed to 34% in rural areas. There are also provincial as well as rich and poor variations in the rate. Among the lowest wealth quintile in Pakistan only 9% children under 5 years of age are registered compared to 76% children being registered in the highest wealth quintile¹³. This makes it very difficult to ascertain the age of a girl at marriage.

SECTION II: Situation Analysis of CEFM

Worldwide, more than 650 million women alive today were married as children. Every year at least 12 million girls are married before they reach the age of 18. This is 28 girls every minute. One in every five girls is married, or in union, before reaching age 18. In the least developed countries, that number doubles – 40 per cent of girls are married before age 18, and 12 per cent of girls are married before age 15. The practice is particularly widespread in conflict-affected countries and humanitarian settings.

(Source UNICEF).

The exact data on child marriages does not seem to be captured uniformly in various studies done by the government of Pakistan and other actors because the purpose has not been to capture the prevalence of child marriages as such. Different surveys done have different purposes of capturing information and also divided the age groups differently. Therefore, it is difficult to compare data from various sources.

In a research "Child Marriages in Pakistan: Issues of Sampling, Representativeness and Generalization" by Munir Ahmad Zia, Safdar Abbas, Dr. Fauzia Saleem Alvi, Noman Isaac and Sidra Maqsood published in Pakistan of Social Issues in Volume IX 2018, the discrepancies in data are highlighted very well. The paper has analysed reports by Sahil, Human Rights Commission of Pakistan (HRCP), Aurat Foundation, UNICEF and PDHS and highlighted the inconsistency of various sources of data as well as the sizes of samples and methodology followed by each. The paper also critically looks at the figures quoted in the UNICEF report and questions the authenticity of the same. In authors' view the only reliable data is the various Pakistan

¹² PDHS 2018

¹³ Situation Analysis of Children in Pakistan, UNICEF, September 2017

Demographic and Health Surveys (PDHS) which use consistent indicators in successive reports and has a sound methodology of sampling and data collection.

This present report has also looked at the data given in the UNICEF report as well as the data available in the Pakistan Demographic and Health Survey 2017-18 (PDHS 2017-18). UNICEF report has also quoted data in some cases from PDHS survey but not the one conducted in 2017-18. The PDHS 2017-18 provides the following information on the age at first marriage:

Table 4.3: Age at first marriage: Percentage of women age 15-49 who were first married by specific exact ages and median age at first marriage, according to current age, Pakistan DHS 2017-18

Current age	%age first married at exact age					%age never married	Total respondents	Median age at Marriage
	15	18	20	22	25			
15-19	1.8	na	na	Na	na	86.4	4398	A
20-24	3.6	18.3	33.3	Na	na	50.5	3816	A
25-29	5.8	24.4	41.9	54.9	71.8	20.1	3189	21.3
30-34	7.2	26.0	42.6	58.7	76.7	8.7	2644	20.8
35-39	8.4	31.0	47.3	61.3	78.1	4.7	2268	20.3
40-44	9.6	35.8	56.1	69.6	84.3	2.6	1475	19.1
45-49	8.8	37.3	55.7	68.5	85.3	1.9	1342	19.3
20-49	6.5	26.4	43.3	Na	na	20.2	14735	A
25-49	7.5	29.3	46.8	60.8	77.6	9.6	10919	20.4

Note: The age at first marriage is defined as the age at which the respondent began living with her/his first spouse. Table excludes Azad Jammu and Kashmir and Gilgit Baltistan.

na = Not applicable due to censoring

a = Omitted because less than 50% of the women began living with their spouse for the first time before reaching the beginning of the age group

The table above shows that 29.3% of women aged 25-49 were married by age 18 and 7.5% were married by age 15. Between 2012-13 and 2017-18 the percentage of women who were married by age 18 declined from 35% to 29%. This shows a trend that early marriages are also declining as those married by age 18 is decreased. However, this does not clearly indicate that how many of these women married below the age

of 18 as this slot covers the ages above 15 to 19 and there may be women who either got married at the age of 18 or while they were below 18 years.

According to the UNICEF's report "Situation Analysis of Children in Pakistan, 2017" the figures quoted also show that the child marriages are declining. The report states that approximately 14% of young women aged 15-19 are currently married which is similar to what PDHS 2017-18 also states i.e. currently married women in the ages of 15-19 is reported to 13.5% with only 0.5% difference between 2012-13 and 2017-18 as the figure stated by UNICEF comes from the PDHS 2012-13.

UNICEF Situation Analysis report further provides that 21% of women aged 20-24 were married before the age of 18, and 3% before they were 15 years old, while 6% of women between the ages of 20 and 49 married before they were 15 (based on PDHS 2012-13). Whereas 24% of women between the ages of 20-24 were married before they turned 18 in 2007.

These figures suggest that the child marriages are slowly becoming less prevalent, which may be related to awareness raising campaigns and programmes conducted by several actors on the harmful effects of child marriage. However, the pace of change is very slow and Pakistan still has a long way to go, especially due to attitudes prevailing in the society and the customary practices existing in the society. These attitudes are difficult to change and unless these attitudes change, CEFM will remain socially acceptable.

In PDHS 2018 this has also been documented that the incidence of marriage before or by 18 years seem higher in rural regions and within the poorest wealth quintiles as well vary from province to province. One of the reasons behind this is that certain societies within Pakistan are still very strong in their cultural and tribal customs.

In rural Sindh, young women aged 15-19 who were currently married was 15% while of women aged 20-24 who were married before they turned 18 was 24.7%¹⁴.

In previously called FATA region the situation seems much worse than other areas. As given in the FATA Development Indicators¹⁵, out of women between the ages of 20-49 about 75% or 3 out of 4 married before they were 18 years old, and among women aged 15-49, around one fifth married before the age of 15 years.

Balochistan seems better than ex FATA region. In Balochistan Province around 33% women married before the age of 18 and there was no significant difference of rural and urban areas, or between the poorest and

¹⁴ Bureau of Statistics Sindh, Multiple Indicator Cluster Survey (MICS) Sindh 2014, Government of Sindh, Karachi, 2018

¹⁵ FATA Development Indicators Household Survey (FDIHS) 2013-14, FATA Secretariat, 2014

richest segments of the population¹⁶. Similarly, 29.6% women aged 20-49 years were married before the age of 18 in Khyber Pakhtunkhwa (KPK) and 18.8% of women aged 15-19 years are currently married.¹⁷

According to the MICS 2016, 42.6% of the women in GB aged 20-49 married before the age of 18. The region's median age for first marriages is 18.8 years¹⁸, the second lowest in the country. The lowest is ex FATA region where the median age of marriage is 18.2 years.

Punjab seems to be comparatively better in terms of CEFM, however the province has a varied situation in the north and south part. In Punjab among women aged 20-49 years there were 18.6% who married before the age of 18, and 5.1% before the age of 15. Women aged 15-19 who are currently married is 10.5%. In Rural Punjab however these two indicators have higher figure i.e. 20.8% and 5.7%, respectively. The incidence of child marriage is higher among the poorest wealth quintiles in Punjab i.e. 9.3% marrying before the age of 15 years, declining as wealth increases as evident by 2.2% marriages taking place before the age of 15 for the highest wealth quintile. This varies geographically as well. The districts in northern parts of Punjab have lower rates of child marriages compared to districts in southern Punjab. DG Khan Division has the highest rate of child marriages while Gujranwala Division has the lowest. The reason being that the districts in southern Punjab are less developed, poorer, more rural and more conservative¹⁹.

A KP based study on child marriage conducted in 2018 by Blue Veins, an organisation in Peshawar working for the rights of women, girls and the transgender community, explored the community perception towards child marriage. The study covered different communities in seven KP districts, namely Peshawar, Mardan, Mansehra, Shangla, Bannu, Swat, and Dera Ismail Khan. The main finding of the study was that poverty is the main driver of child marriages of girls as families consider them a burden and not as contributors to the household income. While most community members interviewed for the study were aware of the risks of this practice, poverty and deprivation forced them to marry off children at a young age.

HRCP report 2018 claims that Pakistan ranks sixth in the world in terms of the highest absolute numbers of child marriage where 21 percent of girls are married by the age of 18. The HRCP report has quoted this based on a study "Ending impunity for child marriages in Pakistan: Normative and implementation gaps" prepared by the global advocacy group, the Centre for Reproductive Rights (CRR), and released in Karachi in September 2018.

¹⁶ Government of Balochistan, Multiple Indicator Cluster Survey (MICS) Balochistan 2010, Government of Balochistan, Quetta, 2010

¹⁷ Government of Khyber Pakhtunkhwa. Multiple Indicator Cluster Survey KPK, 2018

¹⁸ Pakistan Demographic and Health Survey, 2017-18

¹⁹ Bureau of Statistics Punjab, Multiple Indicator Cluster Survey (MICS) Punjab 2014, Government of Punjab, Lahore, 2014

2.01 CEFM in Humanitarian Context

There is a realization that most aspects of CEFM in humanitarian settings are significantly understudied. That is why nowadays there are efforts to address this through a number of research initiatives being undertaken by humanitarian and human rights actors across contexts. The researches on CEFM in humanitarian settings that have been conducted have been comprised of small, stand-alone, qualitative studies in most places. At present the existing knowledge on CEFM in humanitarian settings is from Middle East and North Africa (MENA) region.²⁰

In its analysis of the existing gap in research on CEFM in humanitarian context, Save the Children described that the Girls Not Brides in a recent briefing note provided a list of the key factors found to influence CEFM in humanitarian settings and highlighted the findings from individual country-specific research carried out in Afghanistan, northern Cameroon, Central African Republic, Chad, Ethiopia, Jordan, Iraq, Lebanon, Mozambique, northern Nigeria, Somaliland, Sudan, Syria, Yemen, and with the Rohingya population in India, Indonesia, and Malaysia. The study further states that to date, only one study by UNICEF and the International Center for Research on Women (ICRW) has carried out comparative research on CEFM in humanitarian settings and development settings. The study was carried out in Egypt, Jordan, Lebanon, Morocco, Sudan and Yemen. There were four factors highlighted in the study as the causes behind the increased CEFM: 1) displacement, 2) reinforcement of social and cultural norms during crisis, 3) lack of key service provision, and 4) legal gaps that arises due to displacement as refugees. The report stressed the urgent need for coordination regarding the generation of knowledge through research and programmatic interventions to address CEFM. Girls Not brides has recently taken up this task and has mapped and is continuing to track research initiatives as they are developed and executed. Another comparative research program is underway between the UNFPA and Johns Hopkins University, with research carried out in Ethiopia, Myanmar, Jordan and being designed for four other locations. Results will be available in 2019 or 2020²¹.

Humanitarian crises can involve a variety of situations, such as floods, droughts, famine, cyclones, typhoons, earthquakes and avalanches etc. (natural disasters that disrupt people's lives) or armed conflict (internal or external) and post conflict displacement internally or externally.

Generally speaking, when the normal lives and system get disrupted, there are more risks to people's lives, safety, well-being and protection. Parents may have heightened concerns related to

²⁰ Addressing Data Gaps on Child, Early and Forced Marriages in Humanitarian Settings, White Paper and Discussion Draft, December 2019, Save the Children

²¹ *ibid*

the protection of their children, have increased economic pressure and lack of resources. Above all the inherent gender inequality and attitudes towards women and children continue to manifest in the form of harmful cultural practices and various forms of violence and exploitation.

There is a general understanding that during humanitarian crisis when the system providing safety and security in homes, communities or schools are undermined, there are greater risks faced by people such as human trafficking, abduction, gender based violence, exploitation, forced labour and discrimination. Access to essential services such as health, education, employment etc. also become scarce.

The data is very scarce about CEFM in humanitarian situations, but there is some evidence that the practices around CEFM also get reinforced and there is higher risk of children being married in order to avoid any untoward sexual violence in the camps or temporary shelters that people are displaced to.

Although as part of the international framework the States are responsible for ensuring the fundamental human rights obligations, including economic, social and cultural rights at all times be it normal situation or a humanitarian crisis, however it is also seen that the systems get disrupted and in many cases states usually are not successful in ensuring the full rights of everyone during crisis situation.

United Nation's OHCHR Synthesis Report 2017 on gathering evidence of CEFM in the humanitarian crisis situation provides that the "girls are 2.5 times more likely than boys to be out of school in conflict situations, and nearly 90 per cent more likely to be out of secondary school than their counterparts in non-conflict countries". There are studies that indicate that due to security concerns in humanitarian situations parents would pull out their daughters from schools. With limited education and the girls' increased presence at home, the families start to perceive them as a risk to honour and financial burden and think marriage as the only solution to protection and financial stability. In conflict situations the displacement of people in many countries and among the host country communities have been seen to have an increase in child, early and forced marriage. For example, according to new court data, the rate of early and enforced child marriage among Syrian refugee girls in Jordan, doubled from 15% in 2014 to 36 per cent in 2018, which is about 4 times higher than the that of before war.²² The Independent International Commission of Inquiry on the Syrian Arab Republic during the war between March 2011 and December 2017

²² American University of Beirut, UNFPA and Sawa for Development and Aid. The Prevalence of Early Marriage and its Key Determinants Among Syrian Refugees Girls/Women. The 2016 Bekaa Study, Lebanon

found evidence that the girls aged between 12 and 16 years and some adults, including widows, were victims of child, early and forced marriage²³. This was one of the strategy of the parents to avoid further violence and rape by the militant groups who saw girls who had reached puberty and not married as a threat to their belief.

UN OHCHR Synthesis Report further provides evidence gathered from various other countries as well. For example, the report mentions that from 2014 onwards, Yazidi girls and women were forced to marry members of Islamic State in Iraq and the Levant (ISIL). This militant group ISIL in the Syrian Arab Republic, Boko Haram in Nigeria and Cameroon and the Islamist armed group Al-Shabaab in Somalia have reportedly “abducted girls and women to be raped, sold and forced into marriage”.

Similar instances have been reported in the Central African Republic, Libya, Mali and Somalia. Such incidents are not limited to conflicts in Muslim countries but throughout the world wherever the armed conflict persists. For example the report also mentioned that during the civil war in Sierra Leone in the 1990s and in the midst of the activities of the Lord’s Resistance Army in northern Uganda and the Democratic Republic of the Congo throughout the 1990s and 2000s, the girls were frequently abducted to be used for sexual exploitation and slavery. Cambodia also saw thousands of women who were forced into marriage during the Khmer Rouge regime to create a labour force through doubling the population.

Another report on CEFM in humanitarian settings by Girls Not Brides (Child Marriages in Humanitarian Settings, Report August 2018) also provides information on displacement during conflict and increased levels of CEFM in many countries. The report also states the displacement as one of the reasons to avoid risks to the safety and security of their girls. However, at the same time the displacement can increase the risks of girls’ vulnerability to child marriage due to the breakdown of social networks, the lack of other protection systems, breakdown of law and order and the risks of sexual violence²⁴. For example, the in Kobane refugee community in Turkey, the families reportedly were fleeing partly to protect their girls from sexual violence and forced marriage with the armed combatants. In Syrian refugee communities in Jordan, child marriage has reportedly rapidly increased. While it is illegal to marry before 18 in Jordan, the complex process to register a marriage and the fact that many refugees lack official identification means that girls

²³ “I lost my dignity”: Sexual and gender-based violence in the Syrian Arab Republic, Conference room paper of the Independent International Commission of Inquiry on the Syrian Arab Republic

²⁴ Child Marriages in Humanitarian Settings, Girls Not Brides Report August 2018

who can't prove their age are even more vulnerable²⁵. The report also provided evidence of the increased number of CEFM in Lebanon where 41% of young displaced Syrian women are married before 18. In India, Malaysia and Indonesia, many Rohingya women and girls who fled persecution in Myanmar became child brides and faced domestic violence within marriage. Similarly in Malaysia and Nigeria, child marriage is also arranged by brokers, with higher risks of being used as a cover for human trafficking. In Afghanistan, where thousands of refugees were repatriated from Pakistan in 2016, child marriage was identified as a major risk for returnee children who are not in school.

The reasons and trends of CEFM in conflict contexts are complex and can vary from one context to another but most of the time the reasons revolve around parents' concerns for the safety and security of their girls, but in some case the criminals are also active and the marriage becomes the first step to the trafficking.

As has been seen and documented the natural disasters have been on the rise especially in the past two decades. The natural disasters usually undermine access to basic services such as education for all but especially for girls causing an additional risk for the girl to child marriage. Many countries with high vulnerability to natural disasters have high child marriage rates. As an example if we look at Indonesia, India and Sri Lanka after 2004 tsunami, many girls were forced to marry the widowers of tsunami widowers. In many cases people also married their girls to receive state benefits.

Similarly, in Bangladesh and northeast India, in the riverine areas where there are frequent floods and erosion of land, extreme poverty and difficult access to education has often pushed families to adopt child marriage as a survival strategy²⁶.

Some organisations working in urban slums of Dhaka have documented that due to poverty, many girls have left school in their places of origins and migrated to Dhaka to become maids in the homes of affluent people or joined the work force in the garment industry. These girls live in urban slums and often are at a high risk of sexual abuse. Most of these girls then got married at an early age and never went back to school.

In case of Nepal, after the earthquake in 2015, there is some anecdotal evidence recorded by organisations that there was an increase in gender-based violence and child marriage. A similar increase was reported following disasters in other countries such as Lao and the Philippines. In

²⁵ *ibid*

²⁶ *Child Marriages in Humanitarian Settings, Girls Not Brides, 2018*

Somaliland and Mozambique, research suggests drought drives child marriage because marrying a girl off frees the family from providing for her. This trend however in Ethiopia is different where responses from people in drought affected regions suggested that there was a reduction in child marriages due to people's reduced financial ability to organize weddings.

As per the report "Children in Pakistan: Every Child's Right - Responding to the Floods in Pakistan" by UNICEF, September 2010, the floods created new protection risks for children and exacerbated existing ones. According to the report children were at the risk of being separated from their families, they were at risk of violence, abuse, exploitation and discrimination. The children had less access to assistance. According to the report children were more at risk of certain type of gender-based violence against women and girls. This may include harmful traditional practices. However, the report did not provide any hard evidence of such practices existing at the time of the report.

There seems to be no comprehensive study conducted in Pakistan which can throw light on the phenomenon of CEFM during humanitarian crisis. However, some reference can be found in a few papers written during floods. For example, one of the papers written by Syed Iazaz Ahmed Bukhari and Shahid Hassan Rizvi states, "During the year of 2009-10, all across the country 10.7 percent of the female adolescents (15-19) years old got married out of which 13.8 percent belonged to the rural parts of the country. But during 2010-11, all across the country 16 percent of the female adolescents (15-19) years old got married. As during 2010, 1/5Th part of the country remained under water and it mainly comprised of rural areas which are basically the centers of early marriages. This increase in the rate of early marriages was due to insecurity among flood affected community. about the future of female adolescents due to reported and unreported cases of sexual assaults, sexual harassment, rape cases etc."²⁷

2.02 Impact of CEFM

It is now a recognized fact that CEFM is not only a human rights violation, the practices also have serious consequences for girls' reproductive and sexual health, and it has negative impact on their overall development and wellbeing. CEFM most often finishes girls' childhood abruptly, denies them right to education by discontinuing schooling and possibility of tapping into employment opportunities. It makes them vulnerable to sexual, physical and other forms of violence and abuse.

²⁷ Impact of Floods on Women: With Special Reference to Flooding Experience of 2010 Flood in Pakistan, Syed Iazaz Ahmad Bukhari and Shahid Hassan Rizvi, Journal of Geography & Natural Disasters, 2015; 5.2

Despite these adverse consequences, CEFM continues unchecked in many countries including Pakistan.

Globally, there is increased level of recognition of the harmful effects of CEFM on girls and women and also on the development indicators such as education, health and well-being, emotional and psychological health and economy etc. Addressing the issue of ECFM is now part of the Sustainable Development Goals. The inclusion of a specific target in Sustainable Development Goal (SDG) on ending CEFM globally by 2030 was a significant achievement and increased pressure on demonstrating measurable and sustained progress on ending CEFM. Apart from the direct relevance is of SDG 5.3, which specifically aims to eradicate CEFM, there are SDG 16.1, 16.2, and 8.7 which are also particularly relevant and further reinforce the commitment to end CEFM. SDG 16.1 calls for “significantly reducing all forces of violence and related death rates everywhere,” and 16.2 similarly calls for “ending abuse, exploitation, trafficking and all forms of violence against and torture of children.” As CEFM is a form of SGBV, the eradication of CEFM is integral to the achievement of both SDG 16.1 and 16.2. However, the investment on ending CEFM is still limited, and more needs to be done by all actors to eliminate the practice as well as overcome the negative impact of the CEFM.

There have been efforts to quantify the negative impact of child marriages in the form of economic costs of not ending the child marriages. One of the studies²⁸ conducted by World Bank and ICRW has looked at five domains of impact and tried to quantify that in the dollar value as loss of not eliminating CEFM or gains if the situation changes. The study looks at the global costs of all countries where CEFM is prevalent. The costs seem very high and suggests that it is not only the right thing to do to end CEFM but it is also profitable to work to end CEFM. Below are the areas considered in the report.

- 1) **Fertility and population growth:** The report calculates the estimated welfare benefits from lower population growth when ending child marriage globally (for 106 countries) at \$22 billion in 2015 and \$566 billion in 2030. It argues that although the child marriages in many countries across the globe has decreased, however even now one in 5 girls is married before the age of 18 and one in 5 girls in the ages of 18-22 has their first child below the age of 18 (in 25 countries). Most of these child births are directly a result of early child marriages. The report

²⁸ Economic Impacts of Child Marriage: Global Synthesis Report, By Quentin Wodon, Chata Male, Ada Nayihouba, Adenike Onagoruwa, Aboudrahyme Savadogo, Ali Yedan, Jeff Edmeades, Aslihan Kes, Neetu John, Lydia Murithi, Mara Steinhaus and Suzanne Petroni; CONFERENCE EDITION JUNE 27, 2017, Education Global Practice, World Bank, Washington DC, USA and International Center for Research on Women, Washington DC, USA

argues that child marriage has a large impact on fertility and population growth. Controlling for other factors affecting total fertility, on average across 15 countries, a girl marrying at 13 will have 26 percent more children over her lifetime than if she had married at 18 or later. If a girl marries at 17, she would still have on average 17 percent more children versus marrying at 18 or later. If the marriage happens after 18 years of age, there are chances of an overall decline in fertility by 11% which is a huge impact. Moreover, there are health impacts of early child births.

- 2) **Health, nutrition, and violence:** Globally, for 106 countries, using a discount rate of five percent, the estimated benefits rise from \$42 billion (PPP) in 2015/16 to \$82 billion in 2030 in the case of under-five mortality. In the case of stunting estimates the estimated benefits rise from \$9 billion (PPP) in 2015/16 to \$16 billion in 2030. The report argues that there is great impacts on the health and nutrition of the children of young mothers with early births. The data analysed by the report from various countries suggests that the adolescent girls in many countries have a higher level of maternal morbidity and mortality than women ages 20-24. However, report also points out that there is no evidence suggesting that ending child marriage and reducing early childbirths would result in a decrease in maternal mortality ratios unless there are specific programmes focused on reducing maternal mortality and morbidity. However other health impact is clearer that when a child is born of a young mother, in 15 countries across the globe it showed an increases in the risk by 3.5 percentage points for the child death by age 5. The impact on under-five stunting is estimated at 6.3 percentage points on average across the 15 countries.

- 3) **Educational attainment and learning:** As per the report, one of the main reason reported by parents of the girls who married early, for dropping out of school was their marriage. Once an adolescent girl is married there is rare chance that she will ever complete her education. It is very important to note that estimates also suggest that increasing girls' education is probably one of the best ways to avoid child marriage. Each year of secondary education may reduce the likelihood of marrying as a child or having a first child before the age of 18 by six percentage points on average across 15 countries.

The gains in earnings and productivity that would have been observed today if women had not married early for a core set of 15 countries are estimated at \$26 billion. These gains would increase over 10 time due to population growth and higher standards of living and wages in most countries.

- 4) **Labor force participation and earnings:** It has been pointed out in the report that although data does not suggest any correlation between child marriage and labour force

participation. However, it does have a link in terms of low education and hence the employability and wages of the girls / young women. The impact of child marriage on women's earnings is a reduction in earnings by 9%; and ending child marriages can increase the national earning by 1.0%.

- 5) **Participation, decision-making, and investments:** For this report the authors took measures of household decision-making, land ownership, knowledge of HIV and AIDS, and birth registrations as elements of women's agency. The reason for selecting being that the data is available on these measures as opposed to any other measure of women's agency. But these factors also get affected due to indirect impact of low education and not so much direct relationship between child marriage and knowledge of HIV/AIDS or rate of birth registration of children.

However, overall, the negative impacts of child marriage are larger for the poor and the likelihood of marrying early is also higher among the poor. Therefore, one can conclude that ending child marriage may lead to make a dent in the circle of poverty.

SECTION III: Legal situation around CEFM in Pakistan

International legal framework that sets the standards for the rights of children, women and girls and stops discriminations, exploitation and harm to people and which are most relevant to CEFM in Pakistan include: Universal declaration of Human Rights (UDHR), Convention on Elimination of All forms of discrimination against Women (CEDAW), Convention on the Rights of the Child (UNCRC) and many other resolutions that have been passed by the UN and that have been signed by the state of Pakistan. However, one the UN resolution which is a landmark resolution which was agreed in November 2014 which called for a ban on CEFM during the 69th session of the general Assembly. Through this resolution the UN member states have agreed to recommendations and steps that the states must take to address the problem of CEFM in their respective countries.

In South Asia, in all countries except Pakistan and Bangladesh the age of marriage has been set at 18 years for both boys and girls. For Pakistan the Constitution of Pakistan sets the overall framework for the rights of all citizens of Pakistan. That forms the basis of the entire Legal framework in Pakistan. The constitution of Pakistan in its chapter on rights provides equality of citizens, protection of family and children as well as other safeguards to protect its citizens from any discrimination, exploitation or harm.

The main legislation for preventing child marriages in Pakistan is the Child Marriage Restraint Act 1929 (1929 CMRA)²⁹. Under this law the legal age of marriage for males is 18 and for females it is 16 years³⁰.

After the Eighteenth Amendment to the Constitution in 2010, the powers to legislate have been devolved to the provinces. This meant that each province could amend the 1929 CMRA. So far only two provinces (Sindh and Punjab) have been able to pass legislation³¹, and the 1929 CMRA in its original form still applies in all other provinces.

The governance in Gilgit-Baltistan and Azad Jammu and Kashmir is still under the federal government. Therefore, their legislative changes require endorsement by the federal level. Gilgit-Baltistan Region legislative assembly had proposed an amendment in the legislation (CRMA 1929) for the GB region, however since the final approval had to be given by the federal government, the legislation is still pending approval.

Sindh Province was the first province to take lead in passing the law, the Sindh Child Marriage Restraint Act, 2013 (SCMRA), which was a significant improvement than the CRA 1929. This law puts Sindh as the only province of Pakistan which raised the minimum legal age of marriage for girls to 18 in line with the UNCRC. The law has much stronger punishments as compared to what has been passed in Punjab. It provides that a man above 18 who contracts a child marriage, a person who performs, directs or facilitates a child marriage, or a parent or guardian who allows or fails to prevent a child marriage are punishable under the SCMRA by more than 2 years' imprisonment and up to a maximum of 3 years (in addition to an unspecified fine). Moreover, the police officers can also be prosecuted under SCMRA if they do not take action on complaints related to child marriages. However, the SCMRA does not have a provision of making a child marriage null and void provide if the complaint comes to the court.

The Punjab Province passed an amendment to the CMRA in 2015, with the only change made to the punishments for each of the punishable offences³². Under the Punjab Marriage Restraint Act, any adult who marries a child, defined as a boy under 18 years and a girl under 16 years of age, can be punished with imprisonment of up to 6 months and a fine of Rs. 50,000 which is not a serious deterrent for anyone to not contract a child marriage. In any case most of the child marriages go unreported. The same punishment will apply to a Nikah Registrar who solemnizes or conducts a marriage between two children, or a marriage of an adult with a child. The Punjab legislation still does not have any implementing rules for the law, leaving

²⁹ Child Marriage Restraint Act 1929 (Act No. XIX of 1929)

³⁰ Ibid

³¹ Sindh Child Marriages Restraint Act 2013 (Sindh Act No. XV of 2014) (Pakistan); Punjab Marriage Restraint (Amendment) Bill 2015 (Bill No. 15 of 2015) (Pakistan).

³² Punjab Marriage Restraint (Amendment) Act 2015 (Pakistan)

it to the mercy of the law enforcement agencies to apply it the way they deem appropriate. The punishments are still light, and the law does not alter the minimum age or most of the other problematic aspects of the 1929 CMRA.

In Khyber Pakhtunkhwa in 2013 a bill was presented in the provincial assembly to lift the age of marriage for girls. However, it was turned down. The bill was presented as a result of efforts of civil society organization who manages to put together a campaign which pressurized the KP government to promise addressing the problem. Gradually the momentum around the child marriages campaign died down due to lack of resources invested by the donor and the government and hence after that there have been no renewed efforts to present the bill again.

Balochistan has been slow at presenting an amendment bill in the provincial assembly.. The Early Child Marriage Restraint Act prepared by Social Welfare Department in Balochistan to overcome the menace of child marriages has been submitted to the Cabinet for approval.³³

In October 2017, the Senate Standing Committee on Interior cleared a bill seeking an increase in the marriageable age for females to 18; the bill was to be put in the parliament for voting, however it could not be put forward for voting.

Government of Pakistan should recognize that it has a duty to ensure that the rights of every person in Pakistan are upheld. The devolution of powers to the provinces should be regulated by the federal government and it should not let the provinces use the devolution to not perform its duties of ensuring the rights of people / citizens are respected in line with the commitment made in the constitution of Pakistan and globally by the state.

The Hindu Marriage Act, 2017 (HMA) was passed in March 2017, which regulates the solemnization of marriages by Hindu families. Hindu marriages in Pakistan were not regulated under any law before 2017. Under the HMA 2017, the legal age of marriage for both male and female is 18 years. If either party to the marriage is not of 18 years' of age, that person, or their parents, are entitled to petition the Court for a declaration the marriage be declared null and void.

In 2004, parliament passed the Criminal Law (Amendment) Act under which amendments were made to the Code of Criminal Procedure (CrPC) and the Pakistan Penal Code (PPC)³⁴ making swara' and similar practices a crime. Section 310A, which covers the matter, was inserted in the PPC and reads: "Whoever gives a female

³³ [EXPRESS TRIBUNE. ANTI-CHILD MARRIAGE ACT SENT TO BALOCHISTAN CABINET. 2021](#)

³⁴ http://www.fia.gov.pk/default_files/ppc.pdf

in marriage or otherwise badal-e-sulah' [in exchange for peace] shall be punished with rigorous imprisonment, which may extend to 10 years but shall not be less than three years.

A law was also passed by the government of Pakistan to address forced marriages “Prevention of Anti-Women Practices [Criminal Law Amendment] Act, 2011. The AWP Act or Criminal Law [Third Amendment] Act, 2011, is the collective name for one major amendment and three new insertions in the Pakistan Penal Code. This provides (310A. Punishment for giving a female in marriage or otherwise in badla-e-sulh, wanni or swara- Whoever gives a female in marriage or otherwise compels her to enter into marriage, as badal-e-sulah, wanni, or swara or any other custom or practice under any name, in consideration of settling a civil dispute or a criminal liability shall be punished with imprisonment of either description for a term which may extend to seven years but shall not be less than three years and shall also be liable to fine of five hundred thousand rupees. The new insertions included: 498A (Prohibition of depriving woman from inheriting property- Whoever deceitfully or by illegal means deprives any woman from inheriting any movable or immovable property at the time of opening of succession shall be punished with imprisonment of either description for a term, which may extend to ten years but not be less than five years or with a fine of one million rupees or both); 498B (Prohibition of forced marriages- Whoever coerces or in any manner whatsoever compels a woman to enter into marriage shall be punished with imprisonment of either description for a term, may extend to seven years or for a term which shall not be less than three years and shall also be liable to fine of five hundred thousand rupees; and 498C (Prohibition of marriage with the Holy Quran- Whoever compels or arranges or facilitates the marriage of a woman with the Holy Quran shall be punished with imprisonment of either description for a term may extend to seven years which shall not be less than three years and shall also be liable to fine of five hundred thousand rupees)³⁵.

Later another amendment was made to the Pakistan Penal Code in February 2017, in which a proviso regarding child marriages has been added to Section 498B, which is pertaining to forced marriages. The Section 498B states: “Whoever coerces or in any manner whatsoever compels a woman to enter in marriage” shall be punished with imprisonment of up to seven years and liable for a fine of five hundred thousand rupees. The proviso to this section inserted through the 2017 amendment states, “Provided that in case of a female child as defined in the Child Marriage Restraint Act 1929, or a non-Muslim woman, the accused shall be punished with imprisonment of either description for a term which may extend ten years but shall not be less than five years and shall also be liable to fine which may extend to one million rupees.” This provision in the

³⁵ Forced Marriages and Inheritance Deprivation in Pakistan, Sarah Zaman, published under Gender Based Violence Policy Research, & Capacity Building Programme, Aurat Foundation and Trocaire, October 2014

Penal Code contains significantly higher penalties for child marriage than the CMRA. However, it is unclear whether the amendment implies a distinction between child marriages and forced marriages.

There has been a serious problem in the legal framework regarding the age of a child. A child is defined differently in different pieces of legislation. For example, the Juvenile Justice System Ordinance, 2000 defines child as a person below the age of 18 years at the time of commission of offence. Pakistan Penal Code (PPC) of 1860 declares that no action can be deemed as offence when done by a child below the age of seven although there had been attempts at changing this but with little success. The section 83 of PPC declares that nothing can be termed as criminal when done by a child above seven but below twelve with insufficient maturity to understand or judge the nature and repercussions of his/her action. ‘Hadd’ can be enforced on a person who has attained puberty and it is fixed 18 years in males and 16 years in females (Hudood Ordinance, 1979). The Code of Criminal Procedure 1898 declares a person as ‘Juvenile’ who is under 15. Similarly, the Punjab Youthful Offender Ordinance 1983 declares a person as a child who has not attained the age of 15³⁶.

The Government of Pakistan should use the definition of a child as given in the UNCRC which has been ratified by the state and hence it is a duty of the state to align the child rights with the provisions of the convention. The Article 1 of the Convention on the Rights of the Child, the definition of child is ‘any human being below the age of 18 is a child’ and this definition has been ratified by 194 countries including Pakistan.

SECTION IV: Initiatives to Address CEFM in Pakistan

For past decade or so there has been an impetus within the development sector to work on the CEFM. Several CSOs, (I)NGOs, donor, UN agencies and the relevant government departments of Pakistan have been working on the issue. In Pakistan the campaigns and initiatives were very active from 2011 to 2018, however, in the recent years, the initiatives and campaigns have died down or weakened. This could be partially due to the closure of some of the international NGOs that have kept the issue alive through provide financial and technical support to the local actors. Although Agenda 2030 / Sustainable Development Goals had renewed the commitment to end CEFM as an issue under SDG 5, but the national context and the new policy of regulating international and national NGOs had put great amount of restrictions on rights based approaches and rights based work by the national and international NGOs. Although some of the work where integrated in the service delivery projects still continues at the community level, but the push for improved legislation in

³⁶ Child Marriages in Pakistan: Issues of Sampling, Representativeness and Generalization, Munir Ahamad Zia, Safdar Abbas, Dr. Fauzia Saleem Alvi, Mr. Noman Isaac, Sidra Maqsood, The Pakistan journal of Social Issues Volume IX (2018)

provinces and its implementation has become very weak. Some evidence of this is found in the fact that many organisations in Pakistan had become members of Girls Not Brides in order to learn and cross fertilise idea of fighting CEFM, but at present only a few have retained their interventions around CEFM – some directly and others indirectly.

This also seems true for the government bodies as there has not been a renewal of the SAARC strategy on ending child marriages after 2015. In the previous action plan SAIEVAC, the states in SAARC region had pledged that there will be legislation in all member countries where the age of marriage for girls and boys is above 18. Two countries have still not achieved that; there is evidence that in some countries where the legal age of marriage is 18, parents are still going to those countries where the legal age of marriage for girls is not 18 and contracting marriages there (e.g. Bhutan)³⁷, in some countries the dual legal framework (civil and shariah law) have contradiction and it is still being allowed to be practiced. However, there does not seem to be renewed emphasis on continuing the struggle on this.

For the purpose of this report a few people were also interviewed – 2 from the government, 1 from a network (Ending Violence Against women and girls) and one from an NGO Bedari.

4.01 Government Interventions:

From the government, the following interviews were conducted to gauge the impetus:

1. Dr. Farkhanda Aurangzeb from National Commission on Human Rights (NCHR)
2. Mr. Khalid Latif, from National Commission on Child Welfare and Development (NCCWD)

National Commission on Human Rights (NCHR):

There seems to be recognition of the CEFM as a rights violation and the negative impact of CEFM especially on girls in relation to their discontinuity of education, health risks, early pregnancies, increased number of children born to mother in early marriages, nutrition problems, risk of violence etc.

However, NCHR does not directly work on CEFM but these are inferred activities within their mandate of human rights education where the NCHR raises awareness in schools and other educational institutions. The staff from NCHR conducts human rights education and believes that when you know your rights, you can also resist anything happening against that. Educated children will know the negative impact of CEFM and will not get married at an early age. Their

³⁷ SAARC website (SAIEVAC section on child Marriages)

future intervention will remain the same and for prevention of CEFM, they will continue to raise awareness.

Their other mandate is taking action on complaints which will also continue.

National Commission on Child Welfare and Development (NCCWD)

Within NCCWD there is strong recognition of the fact that patriarchal mind set, traditional & cultural practices, lack of education services, illiteracy, lack of awareness and poverty are behind this practice.

In view of the NCCWD staff interviewed, the government has taken several steps such as legislative measures including Sindh Act; Punjab Child Marriage Restraint Amendment Act etc. The other two provinces are in process and ICT level bill is also under consideration.

According to Mr. Khalid Latif, the government has raised awareness all levels, and has done a lot of work on this. The Government of Pakistan is part of SAIEVAC regional strategy on ending child marriages. The NCCWD worked on provincial level to sensitise the provinces and conducted seminars on CEFM.

Under the Ministry of Human Rights a new initiative of developing a Human Rights Information Management System is underway which has integrated collecting information on human rights violations and CEFM is one of the indicators. The Ministry also has a hotline where cases of CEFM can also be reported.

There was also recognition that the legal provisions are not fully working as there are inconsistencies in provinces. For ICT, the Council of Islamic Ideology (CII) has reservations on age of marriage of child which is against Islamic injunctions. Therefore, Mr. Latif thinks that the government cannot do things which are against Islamic injunctions. He was also of the view that since this is a devolved subject, the federal government cannot intervene. If it is criminal procedure code, then it can be dealt at the federal level.

In Mr. Latif's view there is a need for mass awareness; girls' education; women's economic participation; because where people are poor, the practice of CEFM is higher and where girls are not educated and not working, there also child marriage is more prevalent. In his view data collection is another need and we need to focus on that as well.

Mr. Latif mentioned that MoHR has made a plan on child abuse and ministry of communication is developing a strategy on elimination of violence with support from UNICEF. Under that we will sensitize people on issues of violence against children.

In his view organisations like Shirakat should share the content of their training which he had seen somewhere in a training. He also said that organisations like Sghirakat can play a role in documenting lessons from successful initiatives and share them widely so that other people can also replicate.

4.02 UN Agencies:

Two UN agencies that have most relevant work on child marriages are UNICEF and UNFPA. The former works on the issue from a perspective of the child rights and violence against children under their child protection programme, while UNFPA works on this in terms of adolescents sexual and reproductive health and rights.

UNICEF in its country strategy (2018-2022) mentions child marriages as a protection issue, however in the results framework, it does not list CEFM as a specific result. The two main results under protection are related to increased birth registration and community-based protection mechanism for protection of children from violence. These two results may be integrating CEFM in these interventions especially if birth registration take place for all children, the age of the child can be determined easily. Similarly, the community based protection mechanisms can also help prevent child marriages if these are operational in all districts of the provinces and if the local government is involved effectively in the protection mechanism. These can contribute directly and indirectly to the reduction in child marriages.

UNFPA's strategy states that eliminating child marriage in Pakistan requires everyone to work together to ensure that girls have access to education, health information, services and life-skills education. UNFPA calls on governments and leaders to end child marriage by:

- Advocating politically for policies that raise the legal age of marriage from 16 to 18 years old for both girls and boys, without exceptions.
- Using evidence to tailor interventions in areas where child marriage is rife.
- Implementing support programmes that empower girls at risk or who are currently in child marriages.
- Improve girls' access to supported education choices.
- Enhance economic opportunities for girls and their families through employment options and supports
- Educate and sensitize communities on the harmful impact of child marriage on girls.

UNFPA promotes and protects the human rights of adolescent girls and young people in Pakistan. This is done through improved legislation, collecting evidence for further

advocacy, developing initiatives that support young women and girls' empowerment and ensuring access to sexual and reproductive health information and services at a variety of locations. UNFPA supports young women and girls in existing child marriages to ensure they have access to sexual and reproductive health information and services at local adolescent counselling centres and health facilities. Survivors of child marriage are also given adequate mental health services and stress management support in government-run adolescent counseling centres.

4.03 International NGOs' Initiatives

International NGOs including Plan International and Rutgers, had their programmes on protecting children from violence and harm, ensuring sexual and reproductive health rights for adolescents and ensuring their rights are upheld. Both these organisations have worked in Pakistan on CEFM in one way or another until there had to close their offices due to their registration with Ministry of Interior not being successful.

Rutgers had been very actively involved in reproductive health and rights of adolescents and also addressing CEFM. However, after their registration in Pakistan was refused in 2019 by the Ministry of Interior, the work could not continue with the same vigour. Some of their work where the Rutgers had developed an adolescent led approach and trained adolescent activists in the community as kiran sitara, has continued to be used by the partners to take forward the work on SRHR although the organization is no more active in Pakistan.

Plan International had their programme "Pakistan Child Marriages (Prevention) Initiative" in Pakistan which had started to work from 2011 initially with gathering evidence and then integrating components in their work on girls' education and child protection programming and supporting advocacy efforts of the networks in provinces for necessary legislative changes. Plan Pakistan also ran a separate focused project as well until 2018, when they had to close down their offices in Pakistan due to refusal of registration application with ministry of interior. Main components of their programme were: 1) Increase children's and communities' awareness of the rights of children; 2) support Girls to get an education; 3) Educate families about sexual and reproductive health and 4) demand from the government to set the legal age of marriage for children at 18. The organization is no more active in Pakistan.

4.04 National NGOs

According to the Girls Not Brides website there are 95 organisations that have worked on the issue of child marriages at some point in time. For most of these organisations it has been project driven approach while some organisations have integrated elimination of CEFM in all their projects and programmes and hence have continued to work on prevention of CEFM. The list of organisations is attached in the annex 2. Some of the organization that are still working actively on the issue of CEFM and where information could be accessed are listed below:

Bedari, an organization working on issues of violence against women believes that by empowering adolescents girls and boys to advocate against child marriages within their communities and taking action with support from their families and communities, providing access to education to young girls and addressing the harassment and other protection issues for girls in public transport as well as on their way to educational institutions, the child marriages can be reduced or the marriage for girls can be delayed. While Bedari has had focused programme on preventing child marriages and have engaged youth actively in preventing child marriages, they have gradually integrated it into all their other projects around girl's education, addressing violence against women and girls and other projects.

Rahnuma-FPAP in collaboration with UNFPA conducted a study on Child Marriage “Child Marriage in Pakistan: A Taboo” in 2007 and since then has continued to work on CEFM under various projects. Rehnuam-FPAP developed some good resource material including an advocacy tool kit on child marriages. However, from the information available on their website, it is not clear how they have tried to integrate it into it's work on Sexual Health and Reproductive Health after the specific projects on child early and forced marriages supported by specific donors ended.

Aurat Foundation has been actively engaged in empowerment of women and elimination of all forms of violence against women and girls. One of their key contribution to the debate on child marriages has been a research “Forced Marriages and Inheritance Deprivation in Pakistan³⁸” conducted in October 2014.

The Human Rights Commission of Pakistan raises the issue of child marriages in its annual reports. In the Universal Periodic Review Report submitted by HRCP in June 2015 also addressed the points related to CEFM in the report and included a section on what the government of Pakistan had sailed to do on CEFM.

Shirakat – Partnership for Development has been the secretariat for the MenEngage Alliance Pakistan and MenEngage Alliance South Asia. The organization is leading a regional initiative on prevention and elimination of CEFM in selected parts of Pakistan. The work has been described in the section where alliances and networks have been mentioned.

Ending Violence Against Women & Girls Alliance (EVAWG): EVAWG Coordinator, Shazia Shaheen was interviewed to get her input on what the alliance has been doing on addressing issue of CEFM as an issue of violation of rights of girls. In her view CEFM is not a new phenomenon in Pakistan. It is quite pervasive because we think that girls are a responsibility and getting them married

³⁸ https://www.af.org.pk/pub_files/1416847483.pdf

at a very early age will rid us of the responsibility. If a girl has any reproductive health issue, it is considered a shame for the family; boys are considered as breadwinners and are being invested upon for education etc. but girls are considered a burden. There is realization on the forms of CEFM as well as the causes and impact of CEFM. The alliance members are collectively doing advocacy work all over Pakistan and also in Islamabad on getting the legislation passed for Islamabad Capital Territory (ICT).

Strengthening Participatory Organisations (SPO): SPO has had continued engagement with stakeholders for raising awareness among public and eliminating legal system gaps. SPO has created demand for action among the right holders and strengthened the government to act upon the issue. This two way action has worked very well for SPO. Engagement with Sindh Commission on the Status of Women for this work has been very helpful.

There may be other organisations working on CEFM, however, it was not possible to gather information about all organisations in this short time of review. The information on websites is often not updated, therefore, making it difficult to get information easily. It is pertinent to note that all organisations who sometimes worked on CEFM may not all be currently engaged on prevention or elimination of CEFM. The work has not been sustained fully after some success on the legislative amendments in Punjab and Sindh. The alliance that was formed in Punjab and Sindh have also dwindled due to lack of resources or due to false sense of success after having the legislative amendments passed in two provinces.

SECTION V: Alliances and Networks against CEFM

There has been several networks and alliances to work to address the issue of CEFM all around the globe as the issue is wide spread and without the efforts of a wide range of stakeholders the situation will not improve. This section will list some of the important initiatives taken at global, regional and then Pakistan level to address the issue of CEFM.

5.01 Global Level Networks and Alliances

1. **Parliamentarians for Global Action (PGA)**, a non-governmental, multi-party, international network of legislators acting in their individual capacities, informs and mobilizes parliamentarians in all regions of the world to advocate for human rights and the Rule of Law, democracy, human security, inclusion and gender equality. PGA was established in 1978 in Washington, D.C. by a group of concerned parliamentarians from around the world to take collective, coordinated and cohesive actions on global problems, which could not be successfully

addressed by any one government or parliament acting alone. Founded during the Cold War era, an early focus and priority of the organization was mobilization of Parliamentarians worldwide in support of nuclear disarmament. Today, and reflecting the more complex and interconnected world in which it now lives, PGA and its members worldwide devote their time and energies to promoting human rights, international justice and accountability, advocating for conflict prevention mechanisms and security sector reform as well as promoting gender equality and non-discrimination.

PGA runs a campaign on ending CEFM. The objectives are to: 1) Develop capacity of parliamentarians to effectively address child, early and forced marriage (CEFM) and include the issue as a priority in their parliamentary agendas; 2) Build political support in Parliaments to create an enabling legal and policy framework that asserts the primacy of national laws over customary and religious laws; establishes 18 as the minimum legal age for marriage, uniformly for both boys and girls, with no exceptions; strengthens civil registration (births and marriages), health and education systems; and guarantees the enjoyment of sexual and reproductive health and rights, property rights, and access to justice for all girls and women; and 3) Promote the effective monitoring, funding and implementation of Sustainable Development Goal 5 “To achieve gender equality and empower all women and girls”, particularly by addressing target 5.3 on ending all harmful practices such as child marriage.

One parliamentarian from Pakistan has been a member of the executive committee (Hon. Syed Naveed Qamar, MP, Pakistan)³⁹

2. **Girls Not Brides** is a global partnership of more than 1300 civil society organisations from 100 countries committed to ending child marriage and enabling girls to fulfil their potential. Members are based throughout Africa, Asia, the Middle East, Europe and the Americas. GNB shares the conviction that every girl has the right to lead the life that she chooses and that, by ending child marriage, we can achieve a safer, healthier and more prosperous future for all.

Stronger together, Girls Not Brides members bring child marriage to global attention, build an understanding of what it will take to end child marriage and call for the laws, policies and programmes that will make a difference in the lives of millions of girls. There are 93 NGOs/CSOs registered with GNB Network from Pakistan as their members.

³⁹ <https://www.pgaction.org/about/whos-who.html>

3. **Men Engage Alliance:** MEA is a global alliance made up of dozens of country networks spread across many regions of the world, hundreds of non-governmental organizations, as well as UN partners. MenEngage members work collectively and individually toward advancing gender justice, human rights and social justice to achieve a world in which all can enjoy healthy, fulfilling and equitable relationships and their full potential. Through the country-level and regional networks, MenEngage seeks to provide a collective voice on the need to engage men and boys in gender equality, to build and improve the field of practice around engaging men in achieving gender justice, and advocating before policymakers at the local, national, regional and international levels.

The MenEngage alliance for Gender Equality and Ending Gender Based Violence was established in Pakistan as a follow up of a regional consultation meeting held in Kathmandu-Nepal (January 2007). The Pakistan chapter, of the MenEngage Alliance South Asia, has a goal to engage men and boys in the efforts for gender equality and ending violence. At present the secretariat of the Pakistan Chapter as well as the South Asia Chapter is hosted at Shirakat – Partnership for Development. The MEA-P together with MEA-SA is also working on ending CEFM in Pakistan as part of their global project on Sexual and Reproductive Health Rights.

4. Under **Clinton Global Initiative**, a project was launched with the name of Girls, Women & the Global Goals: Confronting CEFM and a commitment of 12 million US dollars was made by American Jewish World Service in 2016. The American Jewish World Service (AJWS) committed to support 50 grassroots, capacity-building and research organizations to address child, early and forced marriage (CEFM) in India. Through strategic grant making and organizational meetings, AJWS decided to work on the local and national level in India and social movements to enable girls to have access to services in their communities. This commitment is part of the Girls, Women & the Global Goals coalition of multi-sectoral partners convened by No Ceilings, Vital Voices, and WEConnect International. The coalition is working collectively to advance gender equality and the Sustainable Development Goals agenda, particularly focused on the areas of promoting women's economic participation; addressing violence against girls and women; and advancing women's leadership in both private and public sectors.

5.02 South Asia Regional Level Networks and Alliances

1. **SAIEVAC:** The regional inter-governmental South Asia Initiative to End Violence Against Children (SAIEVAC) became a SAARC Apex Body in November 2011. Registered in the

Maldives, its Secretariat, headed by its Director-General, is based in Kathmandu, and its activities are implemented in all SAARC countries, SAIEVAC originated in 2005 as the South Asia Forum for Ending Violence Against Children (SAF), an outcome mechanism of the Regional Consultation on the UN Secretary General's Study on Violence against Children, at the meeting organized by the South Asia Coordinating Group on Action Against Violence Against Women and Children (SACG) and hosted by the Government of Pakistan in Islamabad.

In 2010 SAF evolved into SAIEVAC, a regional body comprised of the 8 SAARC countries – Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka, with the purpose to effectively implement measures to end all forms of violence against children in South Asia.

SAIEVAC has developed a workplan to end violence against children at regional and national level which is a strategic framework to coordinate, standardize, and monitor progress annually. This workplan supports the development of effective and comprehensive child protection systems and addresses key issues for the region including child labour, sexual abuse and exploitation, trafficking, corporal punishment, and child marriage. The action plan on child marriage had the below result and indicators agreed by all SAARC countries.

By 2015, all States (within SAARC) have raised the legal age of marriage for both boys and girls to 18 and implement article 4(3)(d)⁴⁰ of the SAARC Convention on Regional Arrangements for the promotion of child welfare in South Asia. For achieving this the following indicators were picked: i) # of States where 18 is the legal age of marriage for both boys and girls; ii) # of States who show a percentage decrease in number of Child Marriages nationally; iii) # of States that actively enforce legislation banning forced and Child Marriage; iv) # of States where birth registration is compulsory and free of cost and can be done by mothers; v) # of States where marriage registration is compulsory and free of cost; vi) # of States which have defined an age for sexual consent that does not discriminate between boys and girls; vii) # of States which have mapped and identified geographic areas where Child Marriage is still high.

Although these indicators have not been achieved fully so far. However, the efforts continue in all the SAARC countries to end child marriage.

2. **MenEngage Alliance South Asia:** The primary focus of the MenEngage Alliance South Asia is strengthening the Alliance and promoting knowledge sharing, capacity development, and collaboration among the organisations both at the regional and national levels. There have been

⁴⁰ article 4(3)(d) of the SAARC Convention - States Parties shall make civil registration of births, marriages and deaths, in an official registry, compulsory in order to facilitate the effective enforcement of national laws, including the minimum age for employment and marriage.

stronger collaborations between national and regional organisations and agencies, such as IPPF-South Asia Regional office and its associates at the country-level, Partners for Prevention, Care International in Sri Lanka and Nepal, and USAID & GTZ in Nepal. MenEngage Alliance South Asia has a strong partnership with various women’s rights organizations, both as members and partners, at both national and regional levels.

There is a two-tiered regional governance structure with a Steering Committee and a smaller Executive Working group. The Steering Committee consists of 3 representatives from each country network (4 at the moment) as decided by the country alliance in respective countries, a representative from the global steering committee and a representative from the regional secretariat. The secretariat revolves to the regional countries every two years.

Presently the secretariat is at Shirakat – Partnership for Development, Islamabad, Pakistan.

MenEngage Alliance has embarked on a two-year collaborative initiative – ‘SRHR For All’ – to realize its strategic vision for sexual and reproductive health and rights (SRHR) with support from Amplify Change. The overall goal of this strategic project is “to challenge stigma, discrimination, attitudes and laws that undermine the fulfillment of SRHR for all, through networked practice and evidence-based advocacy for gender norms transformation and engaging men and boys in key SRHR issues. MenEngage Alliance South Asia decided to work on CEFM under this initiative. The project is currently operational in three countries of South Asia. The South Asian region have chosen to focus on early and forced marriages as it is a common issue in all member countries in the network, aligns with the networks strategic plan, and it is an issue which is rooted in patriarchal power dynamics and which men in power can greatly influence the prevalent norms.

5.03 Pakistan Country Level Alliances and Networks:

1. **Alliance Against Child Marriages (AACM):** Alliance against Child Marriages (AACM) was formed in 2013 in Punjab province. It immediately attracted a membership of 18 organisations and several supporters. The AACM prepared a bill to be tabled in provincial assembly. However, the original bill could not be approved. The CMRA amendment bill finally approved still has minimum age of marriage for girls as 16 years. The alliance now seems dormant.
2. A similar alliance was formed in Sindh as well with the same name to work on getting a Child Marriages Restraint Act amendment to be passed by the Sindh Provincial Assembly. The alliance in Sindh was successful in getting the Act passed which has the minimum age of marriage for

- boys and girls as 18 years. The alliance continued to work with the government and other actors on awareness about the bill.
3. At Islamabad level there is an alliance with the name of Ending Violence Against Women and Girls (EVAWG). The alliances works on all issues of violence against women and girls. The alliance has worked with parliamentarian to present an amendment bill for Islamabad Capital Territory as well. However, the bill still could not get approved as the Council of Islamic Ideology had objections on changing the age of marriage for girls and their view was that it was against Islamic injunctions. EVAWG continues to raise issues related to violence against women and girls in Islamabad.
 4. Child Rights Movement in Islamabad has also been involved on advocacy on child marriages. One of the reasons for that has also been the engagement of civil society organisations in the South Asia Initiative on Ending Violence Against Children (SAIEVAW) and the SAARC platform has engaged closely with the civil society through their well defined system of core group at national level. SAIEVAC also developed a road map to end CEFM in south Asian countries and the states committed to take action in their respective countries. The Plan of Action had stated that by end of 2015 all countries in South Asia will have legal framework addressing the child marriage issue, which has not been fully achieved yet.
 5. MenEngage Alliance Pakistan: The MEA-P alliance has around 40 active members from all provinces of Pakistan. The alliance works on involving men and boys in overcoming gender inequality and one of the issues taken up by the alliance has been CEFM. With the engagement of men and boys, the alliance is working to eliminate CEFM in selected parts of Pakistan, conducting research and developing material to build capacity of its members on addressing the issue of CEFM.
 6. Men UNiTe is an alliance that was launched in Peshawar in February 2015 and claims to be the largest Pakistani alliance working with men for gender equality. Made of over 2,200 organisations, networks and individuals, MEN UNiTE (Men Against Violence and Abuse) wants to change the fate of girls – and boys – in Pakistan. The alliance also started to work on child marriages

There are many organisations that have worked on the issue of child marriages. For some of the organisations it has mostly been project driven approach while some other organisations have integrated elimination of CEFM in all their projects and programmes. The list of organisations is very long. There is a list of organisations attached in the annex ----- which has names of organisations that are members of Girls Not Brides. Many of them have worked on CEFM either in the past or are still working on the issue.

Section VI: Successful strategies in prevention of CEFM

The strategies that have worked so far in an effort to prevent and eliminate CEFM are wide and there is a large amount of knowledge base existing on how different actors have been working to address the issue. A few of the strategies used for programming are presented below while a list of resources that can be used are also given at the end of the report as Annex 4.

UNICEF considers five entry points to accelerate addressing CEFM: (i) to increase agency and resources for adolescents – especially girls – at risk of and affected by child marriage; (ii) to enhance legal and development policy frameworks for an enabling environment that protects the rights of adolescent girls and boys; (iii) to increase the generation and use of a robust evidence base for advocacy, programming, learning and tracking progress; (iv) to enhance systems and services that respond to the needs of adolescents at risk of or affected by child marriage; and (v) to increase social action, acceptance, and visibility around investing in and supporting girls, and shifting social expectations relating to girls, including by engaging boys and men.

In 2016, UNICEF and UNFPA joined forces through a Global Programme to Accelerate Action to End Child Marriage in 12 countries with the highest rates of child brides. In South Asia, it is implemented in Bangladesh, India, and Nepal. For the first time, existing strategies in areas like health, education, child protection and water and sanitation, are coming together to form a unique holistic programme with shared plans and goals. The programme worked in partnership with governments, civil society organisations and young people themselves and adopt methods that have proven to work at scale. (UNICEF website)

In a joint report “Solution to End Child Marriages: Summary of the Evidence”, Girls Not Brides (GNB) and International Centre for Research on Women (ICRW) documented evidence from reviewing 23 programmes that measured a change in knowledge, attitude and behavior related to child marriages. Based on the lessons learnt from various interventions that have been implemented in the various countries and what has worked in those countries, ICRW compiled 5 strategies that have been used to delay or eliminate child marriages. These include: 1) empower girls with skills, knowledge and support services / networks; 2) Educate parents and community member and mobilise for action; 3) enhance girls’ access to high quality education; 4) provide economic support and incentives to girls and their families; and 5) encourage supportive laws and policies. (For more details, please see the paper on ICRW or GNB website)

The UN Expert group review⁴¹ held an expert group workshop that looked critically at the strategies, their impact and gaps that still need to be addressed in order to eliminate CEFM. Experts from 17 countries

⁴¹ Expert workshop on the impact of existing strategies and initiatives to address child, early and forced marriage; Report of the High Commissioner for Human Rights; June 2017

participated. The workshop looked at: 1) Impact of existing legislative measures; 2) Impact of existing policy measures; 3) Impact of measures to address social norms that support child, early and forced marriage; and 4) Impact of protection measures. The group concluded that while these measures i.e. working on legislation and policy, addressing social norms and cultural practice that support CEFM and taking protection measures for girls so that they continue their education, work to address the issue of CEFM, there is still a need to take measures to further strengthen all aspects and have multi sectoral programmes that address the immediate needs and strategic needs of the girls at the same time. There were very detailed recommendations for contextualised solutions for the people of each country; prohibition of CEFM by strong legislation and its implementation by criminalizing the CEFM practices; having support services available for girls etc. For more details the document can be found on Human Rights Council's page with A/HRC/35/5 number.

World Bank has also developed a framework which gives almost the same components as given by the GNB and ICRW with slight variations and detail on the age groups and category of the adolescent girls that are in schools and the ones that are out of schools. One of the World Bank Report provides a review of what worked in different countries. The model as provided in the report is replicated as its in annex 1.

Several International NGOs have also worked on CEFM and have developed their frameworks for programmes through their experience. The INGOs working on CEFM include: Care International; Plan International; Save the Children; World Vision; Oxfam, Rutgers and several others. Most of the programmatic approaches emphasise the gender equality approach and focus on building agency, transforming relationships, and strengthening the institutions. More specifically, the approach takes to empower youth especially adolescent girls through building skills, knowledge, education and training; provide services such as education, health and income generation opportunities; work with communities and parents to raise their awareness about the issues and harms of CEFM; work at policy and legislation and generate evidence to convince the policy makers to make changes that will help address the issue.

There are more specific strategies as well promoted as part of the overall multi sectoral projects and programmes in order to have the young people strengthen themselves and for becoming change agents. One such approach has been training change makers / activists within communities to act upon the issue of CEFM. Several organisations have taken this approach for their community-based components of the project and advocacy components. One such example also includes **Youth-led research** in Ethiopia, Nepal and Pakistan – In 2018 and 2019, ICDI⁴² trained CWIN in Nepal, EDS in Ethiopia and Bedari in Pakistan to pilot a youth-led research approach. Staff from these three organisations were trained to support young

⁴² International Child Development Initiatives (ICDI) is a knowledge organization in psychosocial development of children and young people growing up in difficult circumstances.

people in defining their own research topics related to child marriage, conduct interviews and analyse the results. Girls and boys worked together in teams and presented the findings to stakeholders in their communities. Follow-up actions included things like raising awareness through youth-led community theatre or youth-adult partnerships in improving safe spaces for girls.

The report by ICDI recommend that youth led research can be an important contribution to programmes combating child marriage. It empowers girls and boys by enhancing life skills like cooperation, conducting interviews and analysing data and presenting results to (adult) stakeholders. And very importantly, it can lead to concrete youth led activities that raise awareness and address child marriage and other practices that negatively affect the rights and development of children and young people⁴³.

In a report “Child Marriages in Southern Asia: Policy Options for Actions”, by Australian Aid, AFPPD, ICRW, UNFPA⁴⁴ the following policy actions were recommended which are basically the same as are implemented by several organisations in Pakistan as mentioned above. The report recommends action: 1) to strengthen and better enforce child (early & forced) marriage laws; 2) Enhance and enforce registration systems; 3) Girls education to fight poverty; 4) launch a national education / awareness campaign; and 5) coordinate with the international community (to learn from others and also gather support for action). The details of this are in annex 2.

1. Strengthen and better enforce child early and forced marriage laws: It is highly recommended that laws are strengthened and better enforced in order to improve deterrence of child marriage. This could include: increasing the legal age of marriage of girls to 18, the same as boys; making stricter punishments for all facilitators of forced child marriages, especially vani and swara; revising the severity of punishments to include longer sentences and greater fines; and passing amendments ensuring that illegal child marriages be nullified. This would also imply better and improved coordination among various ministries working for child affairs and women’s development.
2. Enhance and enforce registration systems: In 2013, a UN agency is planning to begin interventions, based on research conducted in 2011-2012, that will aim to help strengthen marriage registration systems. It is strongly recommended that policymakers support legislation improving both the birth and marriage registration system in Pakistan to complement such interventions as a necessary step to sustain

⁴³<https://icdi.nl/media/uploads/useruploads/Report%20on%20Youth%20Led%20Research%20in%20Her%20Choice.pdf>

⁴⁴ This brief has been developed by Priya Nanda, Ravi K. Verma, and Jennifer Abrahamson of ICRW as commissioned by AFPPD. Support for this project was provided by the Australian Government Overseas Aid Program (AusAID). Technical support was provided by UNFPA’s Asia Pacific Regional Office.

and scale such efforts. (there has been a lot of work happened over recent years starting from 2013 onwards on Civil Registration and Vital Statistics (CRVS) to strengthen this aspect of policy actions).

3. Educate girls, fight poverty: A mere 29 percent of girls attended secondary school from 2007-2010. Although the constitution now guarantees education for a child up to the age of 16 years, measures to effectively enforce the law must be put into place. Providing extra incentives for girls to continue on to – and finish – secondary school could also help reduce child marriage prevalence as well as boost girls’ chances in the labour market as adults. Recognising that poverty lends to a lack of education for girls and forced marriages, policymakers could help in designing incentive-based programmes for poor families supporting school expenses such as fees, uniforms and books. This will enable girls to continue schooling and will also help delay marriage.
4. Launch a national public education campaign: Raising awareness of the harms that child marriage can cause girls, families, communities and society is critical. Government support could include a mass media campaign and trainings for community, tribal and religious leaders, police and other law enforcement personnel and government officials in areas where child marriage is common. National and international organisations have employed several similar innovative advocacy strategies from which valuable lessons can be drawn. For example, an international agency working on early marriage has raised awareness through a theatre performance project in 2011. And in 2013-2014, the agency plans to work with local governments on capacity building, and to engage religious groups in efforts to help eliminate child marriage.
5. Coordinate with the international community: Coordinating with other countries and development agencies to learn about initiatives that have been successful in helping to delay and mitigate the harmful effects of child marriage, is highly recommended. International development organisations played a key role in helping the Department of Youth Affairs, Sports and Archaeology in Punjab integrate child marriage into the new “Punjab Youth Policy,” which was officially adopted by the provincial government in May 2012. Such organisations are also working with other provincial Youth Affairs departments to ensure that their policies also address ways to delay child marriage.

SECTION VII: Recommendations and way forward

Although the world had agreed to agenda 2030 and Sustainable Development Goals which has goal 5 around gender equality and the target 5.3 which states “eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation”, there is still not a full recognition of the CEFM as a human rights violation and a gender discrimination issue. Therefore, there is a need to adopt measures that can address the drivers and causes of CEFM in a comprehensive manner especially in a country like Pakistan where the power dynamics in society tend to expose women and girls to many harmful practices around CEFM. In order to do this, Shirakat under the umbrella of MEAP needs to take some measures to build a momentum to address the issue, which has been slowed down in the past 3-4 years. Pakistan did start to make gains by two provinces doing amendment to the Child Marriage Restraint Act 1929, however the momentum could not continue due to several challenges faced by the civil society organisations. In order to regenerate the momentum, there is a need to work at several levels:

1. Mobilize MEA-P members to act with one voice to take forward the objective of elimination of CEFM as described in the SDG Target 5.3. All members who have experience of engaging men and boys in issues of gender equality to address discrimination in the society should also take up this issue as a priority and generate support from the champions of gender equality among men and boys in the communities. This could also be done by reinvigorating the alliances formed in Punjab and Sindh and injecting renewed energy into those.
2. Together with MEA-P members develop and agree on priorities to address the CEFM in various provinces in Pakistan and also agree on a list of policy actions that may be required for each province. Once there is an agreement on the actions in each province, work with members as focal persons to take the strategy forward in their respective provinces.
3. Shirakat as MEA-P secretariat should start to form a group of donors (bilateral, multilateral, the UN agencies etc.) which are concerned on gender equality issues and who are committed to invest in promoting rights of children / adolescents to a safer world where they are not forced into child marriages. Get their commitment to invest for at least years to eradicate this issue or at least bring it down by 50% in ten years’ time. This may require generating new evidence which can bring a renewed commitment from donors.
4. At the same time Shirakat should work with the government bodies (including Ministry of Human Rights, NCCWD, NCSW, the women’s parliamentary caucuses in provinces and at federal level, PCSWs, and identify champions of this cause. For example as the SAIEVAC had an action plan, work closely with the government to get the renewed commitment to discuss the issue at SAARC meeting again and form the next 5 year action plan. This would be the first step towards generating government’s

commitment towards the issue. Although the NCCWD mentioned that they worked on this, however they also mentioned that there is still a need for continuous effort on the issue. Perhaps supporting them and demanding action on this will push them to move ahead on getting the new action plan by SAIEVAC developed.

5. One issue that emerged was that Council of Islamic Ideology (CII) is of the view that making changes to legal age of marriage and fixing it at 18 years is against shariah laws and the condition for marriage should be reaching puberty. The dialogue may be generated around this issue of age of marriage with the help of scholars from various sects of Islam and getting a consensus on “maturity” both bodily and mental as a must for a person to get married. Shirakat may be able to take lead in this alongwith other members of MEA-P to generate these dialogues.
6. The legal amendments have only been passed by two provinces so far and the remaining two provinces and Islamabad Capital territory still does not have any amendment brought in the legislation. The provinces where the amendment has been passed, the law are not fully in alignment of the international commitments that the state has made by signing UNCRC and CEDAW and other human rights instruments. There is a need for introducing and enforcing laws and policies that promote equality for women and girls and prohibit violence against them, as well as repealing discriminatory laws, that have a discriminatory impact and that enable harmful practices. Once the alliances have been reinvigorated, the advocacy work should go in full swing in all provinces to address flaws in the legal framework to end CEFM.
7. Apart from taking policy actions, there is a need to also develop practical ways of empowering adolescent and young women and engaging men and boys in supporting the empowerment of girls and young women in order for them to have access to education, information about their rights, health services that are adolescent and youth friendly and promoting skill building for adolescent and young girls and women to find employment opportunities. Members of MEA-P can find innovative ways of working with the government services to promote ways of supporting the adolescent and young girls to continue their education, have access to health services and training opportunities for employment.
8. There is a need to not only invest in women and girls as agents of change towards the eradication of child, early and forced marriage and other harmful practices, but also to engage young boys and men in making it possible for the girls and young women to enjoy their fundamental human rights. Such interventions need to be fully inclusive and nondiscriminatory on the grounds of origin, ethnicity, disability or social and economic status. Although many actors have already been doing this, but there is still a need to continue to strengthen inclusive programming and including persons with disabilities as champions of the cause.

9. Shirakat as MEA-P secretariat can also act as a knowledge hub for others to draw the on by ensuring that documentation of successful interventions from across the globe is readily available ion CEFM and is in accessible formats. Shirakat can further ensure independent and objective assessments of local, provincial and national programmes of MEA-P members with a view to learning from successes and failures and to documenting good practices. Young women and girls who have been affected by CEFM Women, girls and affected communities should be involved in this process of evaluation in order to bring the true stories to limelight.
10. With the Human Rights Information System being developed by the Ministry of Human Rights, there is a potential to use this system as an accountability mechanism as well as feed data into the system for the government to get accurate pictutre. There is a get the mechanism in place where CSOs / NGOs from grassroots can also send data to this system and it gets reported in the HRMIS.
11. In order to ensure greater accountability at national level, there is a need to track funding for child protection, adolescent and young people's rights, and women's rights in the national and provincial budgets as well as by the donors. This analysis can be used to raise awareness and advocate for allocation of resources as well as promoting accountability of national human rights institutions about their mandate, resources and capacity.

ANNEXURES

ANNEX 1: STRATEGIES TO END CHILD MARRIAGE

Taken from “Economic Impacts of Child Marriage: Global Synthesis Report”, By Quentin Wodon, Chata Male, Ada Nayihouba, Adenike Onagoruwa, Aboudrahyme Savadogo, Ali Yedan, Jeff Edmeades, Aslihan Kes, Neetu John, Lydia Murithi, Mara Steinhaus and Suzanne Petroni; Conference Edition, June 27, 2017

This report took the main findings from Malhotra et al. (2013) where they identified more than 150 programs and assessed the strategies used by 23 of these to change child marriage-related attitudes, behaviours and practices. The study, which included 15 programs in Asia, four in East Africa, three in North Africa/Middle East, and one in West Africa, identified five types of strategies utilized to prevent or delay early marriage:

- (1) Empowering girls with information, skills, and support networks;
- (2) Educating and mobilizing parents and community members;
- (3) Enhancing the accessibility and quality of formal schooling for girls;
- (4) Offering economic support and incentives for girls and their families; and
- (5) Fostering an enabling legal and policy framework.

Examples of programs related to each of these five areas are provided in table below (a few programs have been added on top of the programs identified by Malhotra et al., 2013). Not all of these interventions are necessarily applicable or should be considered as priorities in all countries, but the list is a good start to consider options.

- (1) **Empowering girls.** Many of the interventions reviewed by Malhotra et al. (2013) aimed to empower girls with information, skills and support networks. The idea is to help girls know themselves, their context, and their options by providing them with valuable information and training in a “safe space” environment while also reducing their isolation. The interventions mentioned in table 7.1 could be – and have been - considered in many countries, including life skills training, vocational and livelihoods skills training, mentored learning spaces to facilitate the acquisition of core academic skills, and safe spaces that allow girls to connect and socialize outside the home.
- (2) **Engaging parents and communities.** Programs aiming to empower girls are typically implemented together with efforts to engage parents and communities so that an “enabling environment” is created and the stigma associated with delaying marriage is reduced. The interventions in this group aim to change social norms and reduce the pressure to marry early. Engaging parents and communities is also important to mitigate any potential unintended negative consequences of girls’ participation in the programs. Several programs have found that such activities are useful when introducing a new program for girls. At the same time however, such type of community engagement alone rarely has impact. Rather it is the concrete and tangible benefits of the girls programming that facilitates change.
- (3) **Improving the quality of formal schooling and education opportunities for girls.** This is a challenge in many countries where many girls drop out of secondary school in part because of concerns about quality. Unless schools improve, become affordable, and provide credible alternatives to early marriage for the girls most at risk, hoping that schooling will work as a

mechanism to reduce early marriage may not work as well as expected. It is therefore important to improve the quality of education systems.

- (4) **Providing incentives and economic support.** The issue of the opportunity costs and out-of-pocket costs associated with schooling are major issues for girls not to pursue their education. Education in public schools is in principle free until junior secondary, but costs remain for households. Various incentives such as conditional cash transfers could help in making sure that girls do pursue their secondary education. Economic support through microfinance and other programs fostering employment also holds promise and may have benefits in other areas such as sexual and reproductive health behaviours.
- (5) **Enacting laws and policies.** Finally, in some countries enacting laws to prevent marriage before the age of 18 should be part of the enabling environment to eliminate the practice. In many countries such laws already exist, but they may not have the desired effect if not accompanied by mechanisms to enforce or accompany laws with appropriate complementary interventions. This means that multi-strategy approaches that combine laws with raising awareness among national decision-makers and local leaders of the importance to eliminate early marriage are more likely to be successful.

A more recent review of interventions with high quality evidence for their impacts on child marriage suggests that interventions related to education should be priorities. This review was conducted by Kalamar et al. (2016). It confirms that interventions to promote education, including cash transfers, school vouchers, free school uniforms, reductions in school fees, teacher training, and life skills curricula, are most likely to help. In some cases, the evidence is mixed, but in most cases, interventions are found to reduce child marriage, or at least increase the age at first marriage. This is also underscored under the tipping point approach suggested by Brown (2012). Further studies, including those conducted by ICRW (Petroni et al, forthcoming), suggest the critical importance of providing comprehensive sexuality education and youth-friendly sexual and reproductive health services in ensuring that adolescents understand their sexuality and have access to the information and services they need to avoid early pregnancies that often – in many settings – contribute to child marriage.

In addition to dealing with the out-of-pocket and opportunity costs of education, programs aimed at increasing the earning potential of young women may affect their demand for reproductive services in three ways. First, the ability to make an economic contribution expands the role of women beyond that of sex and reproduction, which can increase their own desire to marry, or limit or space their childbearing. The transformation of girls from economic liabilities into assets in the eyes of their societies and families can alleviate external pressures on girls that shape their demand for reproductive control. Second, the loss in earnings associated with childrearing represents an opportunity cost to having another child which may increase young women's desire to limit or space births and also increase their desire to exercise reproductive control. And third, a women's increased earnings may improve her bargaining power within the household and allow her to effectively exercise reproductive control by negotiating delays in sexual debut or marriage and negotiating the terms of sex including the use of contraceptives. Creating income-generating opportunities for women can therefore contribute to female empowerment beyond the economic realm by widening personal choice and control over marriage and sexual reproductive health outcomes.

Table 1: Potential Strategies to Prevent Child Marriage Strategy Types of Programs

Strategy	Type of Programme
Empowering girls	<ul style="list-style-type: none"> - Life skills training - Vocational and livelihoods skills training - Information, education, comm. campaigns - Mentored learning spaces to facilitate acquisition of core academic skills - Safe spaces that allow girls to connect and socialize outside the home
Engaging parents and communities	<ul style="list-style-type: none"> - One-on-one meetings with parents, community and religious leaders to gain support - Group/community education on consequences of/alternatives to early marriage - Parental/adult committees/forums on life skills and SRH curricula - Information, education, comm. campaigns - Public announcements/pledges by leaders
Improving formal schooling and education opportunities for girls	<ul style="list-style-type: none"> - Preparing, training and supporting girls for enrolment/re-enrolment in school - Raising the quality of instruction in formal school to improve learning - Improving curriculum/training teachers on life skills, SRH, gender sensitivity - Building schools, improving facilities and hiring female teachers - Providing remedial education including through after-school programs
Providing incentives and economic support	<ul style="list-style-type: none"> - Incentives (cash, scholarships, fee subsidies, uniforms, supplies) to remain in school - Microfinance and related training to support income generation by adolescent girls
Enacting laws and policies	<ul style="list-style-type: none"> - Legal minimum age of marriage at 18 - Advocacy for new policies and enforcement of existing laws/policies. - Raising awareness about the negative consequences of early marriage

Source: Perlman et al. (2017a), adapted from Malhotra et al. (2013).

In practice, it is necessary to adapt interventions to the context that prevails in any country. A simple typology provided by Perlman et al. (2017a) originally for Niger outlines the type of programs that could be helpful for adolescent girls – both married and not married - in this country, but it could potentially be considered for other settings. The typology considers four target groups whose needs differ in some respects: (1) Girls ages 10-15 still in school and not married; (2) Girls ages 10-16 out of school but not yet married; (3) Girls ages 16-19 still in school and not married; and (4) Married girls out of school. A menu of potential interventions is suggested in table below is to tailor specific programs to the needs of these key groups of adolescent girls.

1. The first two groups of girls are still in school. Most parents regard formal education as an acceptable alternative to early marriage. But the cost of schooling (out of pocket and opportunity costs) is high for households in poverty. In addition, low quality of education in rural schools does not encourage parents to invest in their daughters' education. In order to improve school quality, a focus on literacy and numeracy skills acquisition should be a priority for girls ages 10-15. In addition, cash transfers or other programs to help offset the cost of schooling are needed. Finally, girls in that group also need life skills training. Similarly, for girls in school ages 16-19, schooling must provide value. This can be achieved by focusing more on preparing girls for the formal labor market positions such as those held by teachers and nurses. This would help not only those girls, but adolescent girls more generally by providing role models to show to communities that women can get such jobs if well educated. Several interventions for girls ages 10-15 also apply to this group.
2. For girls out of school, the interventions listed in table A4.2 differ depending on whether they are married or not. For girls not yet married, the key is again to provide a viable alternative to marriage. Programs should focus on building financial literacy, microenterprise skills, enhancing access to savings and expanding economic opportunities. Life skills should also be emphasized through 'safe space clubs' together with financial incentives to attend. These programs should look almost like schooling to achieve some of the protective status against early marriage provided by formal education. This could be done by providing uniforms resembling those worn by schoolgirls and ensuring that the clubs meet at least three times a week for several hours. Finally, for girls already married, programs could also offer financial literacy, microenterprise skills, and access to savings groups, as well as life skills, including a focus on knowledge about reproductive health, but in a culturally sensitive way to promote birth spacing and the use of contraception.

Table 2: Interventions for Adolescent Girls by Target Groups - Some Examples

Target Group	Objective	Interventions
In School		
Ages 10-15	Remaining in school Learning in school Acquiring life skills	Economic incentives to remain in school Basic literacy and numeracy curriculum Life skills programs through safe spaces
Ages 16-19	Remaining in school Learning in school Acquiring life skills	Economic incentives to remain in school Skills for formal employment curriculum Life skills programs through safe spaces
Out of School		
Not married 10-16	Providing incentives Providing training Providing financing Ensuring literacy/ numeracy Acquiring life skills	Economic incentives to enroll in training Broad livelihood/entrepreneurship training Access to a savings group Remedial education for literacy/numeracy Life skills programs through safe spaces

Target Group	Objective	Interventions
Married All ages	Providing training Providing financing Ensuring literacy/ numeracy Acquiring life skills Mentoring younger girls	Training for home-based enterprises Access to a savings group Remedial education for literacy/ numeracy Life skills programs through safe spaces Married girls serving as cascading mentors

Source: Perlman et al. (2017a).

ANNEX 2: Child Marriages in Southern Asia: Policy Options for Actions, Australian Aid, AFPPD, ICRW, UNFPA⁴⁵

The country briefs on child marriage included in this advocacy kit show that most national governments in the region are aware of the seriousness of the issue and have taken some steps to prevent child marriage from occurring. For example, all countries have adopted laws designed to regulate its proliferation and prevalence. Laws in India, Bangladesh, the Maldives, Nepal and Bhutan reflect international standards, with legal age limits for girls set at 18. On the other hand, in Afghanistan and Pakistan where Sharia law bears a greater influence, girls can legally marry at age 15 and 16, respectively. And in Sri Lanka, a dual legal system prevails, with non-Muslim girls allowed to legally marry at 18, while Muslim girls are allowed by law to wed at 15.

Solutions to Ending Child Marriage in Southern Asia: Pakistan

Child Marriage in Pakistan: Child marriage is one of the most pressing development challenges in Pakistan today, with approximately 21 percent of girls in the country married off as child brides.⁴⁶ While the practice is widespread, the situation is worst in the interior of Sindh province. Girls living in rural areas of Pakistan are hardest hit by child marriage, with a prevalence rate of 29.2 percent as opposed to 21 percent for girls from urban areas.⁴⁷ Child marriage in Pakistan is deeply rooted in poverty and in centuries old patriarchal traditions, with devastating effects on girls that last a lifetime. Child brides in Pakistan are at an elevated risk of sexual and physical abuse, reproductive health complications, and other adverse physiological and social outcomes. Poverty is also at the heart of child marriage in the country: poverty fuels child marriage and in turn, child marriage fuels poverty. Viewed as an economic burden to families, girls are married off as soon as they reach puberty. This is exacerbated by the cost of dowries, which increases as girls get older, thereby encouraging early marriage. As a result, girls are deprived of an education, income generating opportunities and their general well-being. Early marriage bears devastating consequences on the lives of millions of girls in Pakistan. It negatively impacts their educational development and

⁴⁵ These briefs have been developed by Priya Nanda, Ravi K. Verma, and Jennifer Abrahamson of ICRW as commissioned by AFPPD. Support for this project was provided by the Australian Government Overseas Aid Program (AusAID). Technical support was provided by UNFPA's Asia Pacific Regional Office.

⁴⁶ UNICEF 2021

⁴⁷ Government of Sindh. MICS. 2018

deteriorates their health. Child marriage often leads to early childbearing which in turn increases the risk of pregnancy complications and pre-mature childbirth and even maternal and infant death.

Policy Overview

The Policy Context: The law in Pakistan stipulates that the legal age for marriage is 16 and 18 for girls and boys, respectively, in accordance with the colonial-era Child Marriage Restraint Act of 1929. The punishment for a man 18 or older who violates the law is a fine of up to 1,000 rupees (about US\$10), or a maximum prison sentence of one month, or both. However, nullifying illegal child marriages is not mandatory under the current law. The Law and Justice Commission (LJCP) chair in 2011 directed the secretariat to propose amendments that would lead to more stringent punishment for perpetrators of *vani* and *swara*, a tribal customary law that mandates the forced marriage of girls as compensation or currency to settle a dispute or debt. The Federal Shariat Court also declared the practice of *vani* and *swara* as un-Islamic followed by the insertion of Section 310-A in the Pakistan Penal Code under which those resorting to this abhorrent practice could be imprisoned for up to seven years and fined up to Rs. 500,000. While legislation on child marriage can serve as a solid foundation for modifying the practice, even the strongest laws and policies alone are ineffective without adequate adherence and enforcement. In Pakistan, insubstantial law enforcement and weak punishment for perpetrators mean that *vani* and *swara*, along with other forms of customary practices allowing for child marriage, persist and are even on the rise (especially in Khyber Pakhtunkhwa, Sindh and Punjab), with girls as young as seven or eight forced to marry. Existing laws and punishments are clearly not strong enough to deter child marriage in Pakistan considering the high levels of the practice found in the country. This is especially true in areas that are steeped in traditions of marrying daughters as young as possible to ensure family's honour, and where tribal councils trump state courts. Pakistani state courts and law enforcement officials have made efforts to arrest and prosecute perpetrators of forced child marriage and the exchange of young girls when complaints are received. However, such actions have been ad hoc rather than a result of a proactive pursuit of justice. For example, police prosecuted an abysmal 59 cases of *vani* and *swara* in the first quarter of 2011. However, with 33 percent of girls reportedly married underage in Pakistan, enforcement is vastly disproportionate to the high levels of violation in the country. Birth registration is also extremely low in the country (42%)⁴⁸ and is a major contributing factor to poor enforcement. Low marriage registration –despite the Muslim Family

⁴⁸ PDHS 2018.

Law 1962 which mandates it –flaws the entire system and presents serious challenges to preventing child marriage.

The Consequences:

These policy and enforcement limitations have devastating implications. For example, many young girls are given away to older men in return for property. There are innumerable instances where a young girl is forced to marry a very old man in return for many acres of land. Such incidents take place despite the fact that *vani* and *swara* were deemed in court as being “tyrannical, illegal, and against Islamic law”. Studies in Pakistan show a direct correlation between education and age at marriage. Education is severely stunted, as parents pull their daughters out of school as soon as they feel she is ready for marriage even though Pakistan has recently amended the constitution to guarantee education for a child up to the age of 16 years. Girls are less likely than boys to be educated due to the belief that investment in a girl’s education is wasted once she marries. As a result, they lack the valuable and necessary skills to enter the labour market, thus limiting economic progress for themselves and their families. They also lack proper decision-making skills and bargaining power to fight back against the injustices they experience on a daily basis.

The health and well-being of married adolescent girls are impacted severely due to early marriage. Early marriage negatively impacts their reproductive health as adolescent girls are physically, mentally and emotionally unprepared for childbirth. For example, in a study analyzing the nationally representative sample of PDHS 2006-2007 showed that child marriage was significantly associated with high fertility, rapid repeat child birth, unwanted pregnancies and pregnancy termination.⁴⁹ Another more recent report on cost of child marriage in KP and Punjab found that early marriage is associated with low physical health outcomes including poor sexual and reproductive health leading to more out of pocket expense and having lasting effects on household earnings and productivity, Furthermore, intergenerational effects are seen with high rates of infant mortality.⁵⁰

Recommendations

The following policy actions are strongly recommended to begin eradicating child marriage in Pakistan:

⁴⁹ Nasrullah M, Muazzam S, Bhutta ZA, Raj A. Girl child marriage and its effect on fertility in Pakistan: findings from Pakistan Demographic and Health Survey, 2006-2007. *Matern Child Health J.* 2014 Apr;18(3):534-43. doi: 10.1007/s10995-013-1269-y. PMID: 23580067.

⁵⁰ UN Women, NCSW, UKAID. Costing study on child marriage in Pakistan. 2020

1. Strengthen and better enforce child marriage laws: It is highly recommended that laws are strengthened and better enforced in order to improve deterrence of child marriage. This could include: increasing the legal age of marriage of girls to 18, the same as boys; making stricter punishments for all facilitators of forced child marriages, especially vani and swara; revising the severity of punishments to include longer sentences and greater fines; and passing amendments ensuring that illegal child marriages be nullified. This would also imply better and improved coordination among various ministries working for child affairs and women's development.
2. Enhance and enforce registration systems: It is strongly recommended that policymakers support legislation improving both the birth and marriage registration system in Pakistan to complement such interventions as a necessary step to sustain and scale such efforts.
3. Educate girls, fight poverty: A mere 34.2 percent of girls were enrolled in secondary school in the year 2018.⁵¹ Although the constitution now guarantees education for a child up to the age of 16 years, measures to effectively enforce the law must be put into place. Providing extra incentives for girls to continue on to – and finish – secondary school could also help reduce child marriage prevalence as well as boost girls' chances in the labour market as adults. Recognising that poverty lends to a lack of education for girls and forced marriages, policymakers could help in designing incentive-based programmes for poor families supporting school expenses such as fees, uniforms and books. This will enable girls to continue schooling and will also help delay marriage.
4. Launch a national public education campaign: Raising awareness of the harms that child marriage can cause girls, families, communities and society is critical. Government support could include a mass media campaign and trainings for community, tribal and religious leaders, police and other law enforcement personnel and government officials in areas where child marriage is common. National and international organisations have employed several similar innovative advocacy strategies from which valuable lessons can be drawn. These have focused on changing the social norms on the practice of child marriage through Behaviour Change Communication and community involvement, delivering tailored messages for girls, families and their communities as well as religious leaders and officials responsible for enforcing laws. Other programs have focused on addressing child marriage through promotion of risk reducing

⁵¹ World Bank 2018

behaviours via life skills education and promote enrollment, attendance and retention in schools to delay marriage and pregnancy.^{52,53} For example,

5. Coordinate with the international community: Coordinating with other countries and development agencies to learn about initiatives that have been successful in helping to delay and mitigate the harmful effects of child marriage, is highly recommended. International development organisations played a key role in helping the Department of Youth Affairs, Sports and Archaeology in Punjab integrate child marriage into the new “Punjab Youth Policy,” which was officially adopted by the provincial government in May 2012. Such organisations are also working with other provincial Youth Affairs departments to ensure that their policies also address ways to delay child marriage.

⁵² Save the Children. *New Insights on Preventing Child Marriage. A Global Analysis of Factors and Programs*. 2007

⁵³ GlobalDev. *Child Marriage in Pakistan: Evidence from Three Development Programs*. 2020

ANNEX 3: Girls Not Brides Members in Pakistan (Taken from GNB website)

1. Aahung
2. Acid Survivors Foundation (ASF)
3. Advocacy, Research, Training and Services (ARTS) Foundation
4. Al-Mehran Rural Development organisation (AMRDO)
5. Association for Behavior and Knowledge Transformation (ABKT)
6. Association for Water, Applied Education & Renewable Energy (AWARE)
7. Aware Girls
8. AWAZ Foundation Pakistan Centre for Development Studies
9. Azat Foundation
10. Baahn Beli
11. Bedari
12. Blue Veins
13. Center for Communication Programs Pakistan
14. Chanan Development Association (CDA)
15. Children and Women Trust
16. Civil Society Support Program (CSSP)
17. Community Development Foundation (CDF)
18. Community Initiatives for Development in Pakistan (CIDP)
19. Community Research and Development Organization (CRDO)
20. Da Hawwa Lur
21. Dawn Development Organization
22. Democratic Commission for Human Development (DCHD)
23. Development & Economic Empowerment of People (DEEP) Foundation
24. Development Institutions' Network (DIN)
25. Development of Institution and Youth Alliance (DIYA)
26. Direct Focus Community Aid (DFCA)
27. Fast Rural Development Program (FRDP)
28. Formation Awareness and Community Empowerment Society (FACES)
29. Forum for Dignity Initiatives (FDI)
30. Foundation for Awareness and Civic Engagement (FACE)

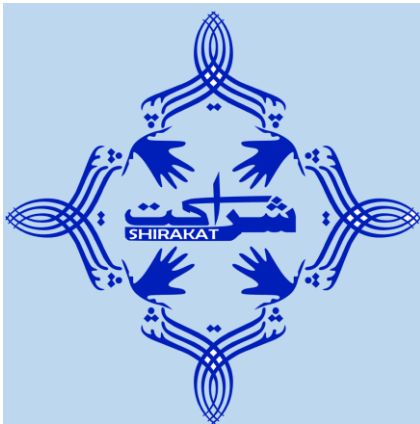
31. Fundamental Human Rights & Rural Development Association (FHRRDA)
32. Gender and Empowerment Organization (GEO)
33. Girls Assembly
34. Girls Got Voice (GGV)
35. Girls United for Human Rights (GUHR)
36. Group Development Pakistan (GD Pakistan)
37. Hamdam Development Organization (HDO)
38. Hand in Hand with Educated and Labour People (HHELP)
39. HARD Balochistan
40. Hari Welfare Association
41. Holding Hands Organization
42. Human Oriented Productive Environment (HOPE)
43. Hwa Foundation
44. Idara Baraye Taleem-o-Taraqi (IBT)
45. Idara-e-Taleem-o-Aagahi
46. Insan Dost Social Organization (IDSO)
47. Jaag Welfare Movement
48. Kafka Welfare Organization
49. Kehkashan Development Organization
50. Laureate Foundation
51. Literate Masses
52. Marvi Rural Development Organization (MRDO)
53. Nari Foundation
54. National Integrated Development Association (NIDA-Pakistan)
55. Organisation for Public Interest (OPI)
56. Organization for Community Development (OCD)
57. Organization for Development and Peace
58. Pakistan Rural Workers Social Welfare Organisation (PRWSWO)
59. Parveen Nadeem Welfare Organization (PNWO)
60. Peace Foundation
61. Petarian Human Rights Organization (PHRO)
62. Psycho-Social Research Advocacy and Rule of Law (PAROL)
63. Reformists' Social Welfare and Development Organisation (RSWDO)
64. Roshni Welfare Organization (RWO)

65. Rural Development Association
66. Rural Development Foundation
67. Rural Empowerment and Community Help (REACH)
68. Saher Arts for Peace & Sustainable Development
69. Sami Foundation (SF)
70. Sangtani Women Rural Development Organization (SWRDO)
71. Sanjh Preet Organization
72. Save the Children
73. Shah Sachal Sami Foundation (SSSF)
74. Sindh Achievement Awareness Development Organization (SAADO)
75. Sindh Agricultural and Forestry Workers Coordinating Organization (SAFWCO)
76. Sindh Community Foundation (SCF)
77. Sindh Development Society (SDS)
78. Sister's Council (khwendo jirga)
79. Social Organization for Justice and Human Rights Observation
80. Society for Democracy and Human Development (SDHD)
81. Society for Development and Research (SDAR)
82. Society for Mobilization, Advocacy and Justice (SMAAJ)
83. Society for Rights and Development
84. Society for Safe Environment and Welfare of Agrarians in Pakistan (SSEWA-Pak)
85. Society for the Protection of the Rights of the Child (SPARC)
86. Sujag Sansar Organization
87. Sukaar Welfare Organization
88. Sustainable Transformation for Rural Initiatives and Voluntary Efforts (STRIVE)
89. The Awakening
90. Unique Development Organization
91. Villagers Development Organization (VDO)
92. VSO International
93. Youth Association for Development (YAD)

ANNEX 4: LIST OF RESOURCES

- Pakistan's Universal Periodic Review: A look back at our promises, Civil society mid-term assessment report, Human Rights Commission of Pakistan, June 2015
- Stealing Innocence: Child Marriage and Gender Inequality in Pakistan, Plan international, 2011
- Economic Impacts of Child Marriage: Global Synthesis Report (Conference Edition), By Quentin Wodon, Chata Male, Ada Nayihouba, Adenike Onagoruwa, Aboudrahyme Savadogo, Ali Yedan, Jeff Edmeades, Aslihan Kes, Neetu John, Lydia Murithi, Mara Steinhaus and Suzanne Petroni, June 2017
- Solutions to End Child Marriages: Summary of the Evidence, by INRW and Girls Not Brides, no date
- Taking action to address child marriage: the role of different sectors, An overview, ICRW & Girls Not Brides, no date
- A Social Custom “Vani”: Introduction and Critical Analysis, by Arshad Munir and Ghulam Ali Khan, published in VFAST Transactions on Education and Social Sciences, Volume 3, Number 2, March-April 2014
- Preventing Child Marriage: Lessons from World Bank Group Gender Impact Evaluations, Jennifer Parsons and Jennifer McCleary-Sills, enGender Impact, World Bank Group’s Gender Impact Evaluation Database, no date
- Accelerate Actions to End Child Marriage and Early Unions in Latin America and the Caribbean, Ford Foundation, UNICEF, UNFPA, UN Women, June 2018
- Ending Impunity for Child Marriage in Pakistan: Normative And Implementation Gaps, Centre for Reproductive Rights, 2018
- Advocacy Kit on Child Marriages, Rehnuma FPAP, IPPF, UNFPA,
- The Status Of Adolescents’ Srhr In Asia And The Pacific Region, Sivananthi Thanenthiran, Asian-Pacific Resource & Research Centre For Women (Arrow), 2019
- Summary of a Baseline Study to Estimate the Number of Child Marriages in South Asia 2014-2017, UNICEF Regional office for South Asia, September 2016
- Child, Early, and Forced Marriage Care’s Global Experience, written by Carol Boender (independent consultant) in close collaboration with CARE and with the generous support of the Kendeda Fund, 2018
- Child Marriages in Pakistan: Issues of Sampling, Representativeness and Generalization, Munir Ahamad Zia, Mr. Safdar Abbas, Dr. Fauzia Saleem Alvi, Mr. Noman Isaac, Sidra Maqsood, The Pakistan Journal Of Social Issues, Volume IX (2018)
- Unrecognised Sexual Abuse and Exploitation of Children in Child, Early and Forced Marriage, ecpat with support of Plan International, written by Dr. Eliana Riggio Chaudhuri, Human and Child Rights Expert. Research assistance was provided by Helen Breese, Mairi Calder and Rebecca Rittenhouse, reviewed by Ramesh Shreshtha from ecpat, October 2015
- Child Marriages in Pakistan, Submission to the Women Human Rights and Gender Section of OHCHR, By the Institute for Social Justice (ISJ) Pakistan- www.isj.org.pk
- Child Marriage in Southern Asia: policy Options for Action, ICRW, AFPPD, Australian Aid and UNFPA, developed by Priya Nanda, Ravi K. Verma, and Jennifer Abrahamson of ICRW as commissioned by AFPPD. Support for this project was provided by the Australian Government Overseas Aid Program (AusAID). Technical support was provided by UNFPA’s Asia Pacific Regional Office

- Ending Child Marriage: Progress and Prospects, UNICEF, Data and Analytics Section Division of Policy and Research, 2013
- Child Marriage in South Asia International and Constitutional Legal Standards and Jurisprudence for Promoting Accountability and Change, Centre for Reproductive Rights, 2013
- Child Marriage in Humanitarian Settings, Girls Not Brides, August 2018
- Addressing Data Gaps On Child, Early And Forced Marriage In Humanitarian Settings, White Paper and Discussion Draft, Dyan Mazurana, PhD and Anastasia Marshak, Save the Children, December 2019



Our Mission

To contribute towards social justice and women's rights through piloting innovative initiatives; striving for behavioral change; and action beyond boundaries.

Who We Are

Shirakat is a non-governmental organization working on human rights and women's rights in Pakistan. The organization is governed by a board of directors including development professionals, gender and human rights activists and behavioral change communication specialists. The board is responsible for policy guidance, management and review of performance of the organization.

Thematic Areas of Work and Strategies:

- Contributing towards social justice through piloting innovative initiatives for behavioral change beyond boundaries
- Human Rights, particularly Women's Rights
- Violence against women and children
- Cross sectoral approach focusing livelihoods, health, education and humanitarian action in crisis
- Peace making and peace building
- Enhancing forums for dialogue, lobbying, knowledge building and dissemination
- Piloting innovative initiatives for social change and supporting grassroots organizations for change
- Engaging and working with boys and men as partners for social justice
- Communication for change striving protection, prevention and participation
- Coordination, collaboration and capacity enhancement for collective action
- Working together for equality and social justice

We believe in:

- Equal opportunity for men and women irrespective of class, caste, age, ethnicity, culture or religion
- Transparency, accountability and diversity
- Active involvement of men, women and children, especially those marginalized and disadvantaged, in development initiatives. Engaging boys and men for social justice.
- Freedom of thought, expression and choice