



Image by Stephanie Sinclair. Yemen.

CHILD MARRIAGES IN THE MIDDLE EAST

A Comparative Study of Domestic, Regional and International Laws and Regulations

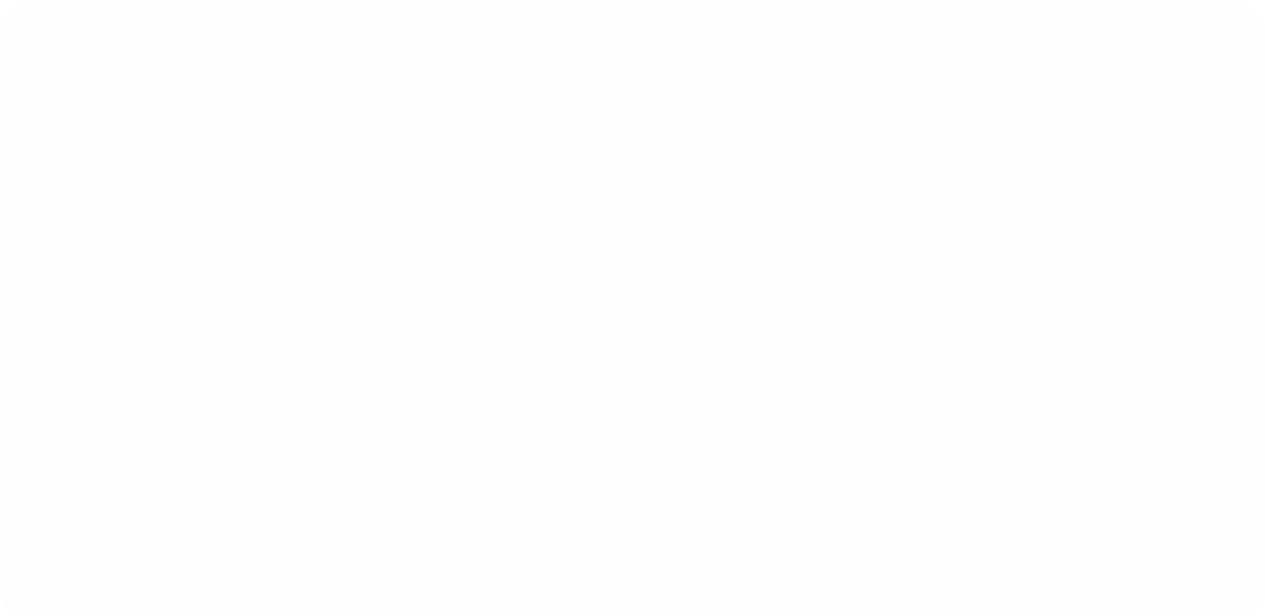
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Table of Contents

Sr. No.	Topic	Page Number
1.	List of Abbreviations	1
2.	Introduction	2
3.	Chapter 1: Child marriages in the Middle East	4
4.	Chapter 2: International legal instruments and child marriages	13
5.	Chapter 3: Recommendations	16
6.	Conclusion	19
7.	Bibliography	20

List of Abbreviations

Arab Charter	Arab Charter on Human Rights
CAT	Convention Against Torture
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CRC	Convention on the Rights of the Child
EVAW	Elimination of Violence against Women Law
GPECM	Global Programme to Accelerate Action to End Child Marriage
Age for Marriage and	Marriage Convention Convention on Consent to Marriage, Minimum Registration of Marriage
UN	United Nations
UNAMA	United Nations Assistance Mission in Afghanistan
NESCO	United Nations Educational, Scientific and Cultural Organization
UNFPA	United Nations Population Fund
UNICEF	United Nations Children's Fund

Introduction

The practice of child marriage is a global phenomenon extending to a large number of States and is not limited to any one region, culture, religion or ethnicity.¹ Child marriage - referred to as “early” or “forced” marriage - is defined as “a formal marriage or informal union where at least one of the parties is under 18 years of age”.² Child marriage is considered to be a form of forced marriage, as one and/or both parties have not expressed full, free and informed consent.

The international community has taken measures to address child marriages. In recent years, efforts to end child marriage have increased at international, regional, and national levels. Indeed, according to data from United Nations Children's Fund (UNICEF), the total number of girls married in childhood is now estimated at 12 million a year.³ The new figures point to an accumulated global reduction of 25 million fewer marriages than would have been anticipated under global levels 10 years ago. Every child in the Middle East has the right to be protected from this harmful practice, which has devastating consequences for girls, boys and society as a whole. While accepted as a harmless tradition in many cultures, early marriage is a human rights violation and a harmful practice that disproportionately affects women and girls globally. The prevalence of child marriage among boys is only one-sixth that of girls,⁴ which is why this report will focus on girls as the main victims of child marriage. Girls growing up in poverty or facing crisis, conflict or disaster are particularly at risk. The effects of child marriage are deeply damaging and include, but are not limited to, both short- and long-term negative consequences on the social and economic development of children, as well as physical, mental and sexual and reproductive health deterioration. Child marriage is a significant obstacle to education, limits opportunities for empowerment and social development, and increases the risk of exposure to violence and abuse. Child marriage is also often accompanied by early and frequent pregnancy and childbirth, resulting in higher than average maternal morbidity and mortality rates. Therefore, early marriage can lead to women and girls attempting to flee their communities or commit suicide to avoid or escape the marriage.

Despite international efforts to eliminate child marriage, this practice still prevails in many parts of the world. This raises the question of whether the current international human rights framework is sufficient to

1. UNICEF, “25 million child marriages prevented in last decade due to accelerated progress, according to new UNICEF estimates” (2018) <<https://www.unicef.org/press-releases/25-million-child-marriages-prevented-last-decade-due-accelerated-progress-according>> accessed 25 June 2022.
2. OHCHR, “Child and forced marriage, including in humanitarian settings” <<https://www.ohchr.org/en/women/child-and-forced-marriage-including-humanitarian-settings>> accessed 25 June 2022 ; Plan International, “Ending Child Marriage” <<https://plan-uk.org/about/our-work/child-marriage>> accessed 25 June 2022.
3. UNICEF, “25 million child marriages prevented in last decade due to accelerated progress, according to new UNICEF estimates” (2018) <<https://www.unicef.org/press-releases/25-million-child-marriages-prevented-last-decade-due-accelerated-progress-according>> accessed 25 June 2022.
4. UNICEF, “Child marriage: Child marriage threatens the lives, well-being and futures of girls around the world” (2022) <<https://www.unicef.org/protection/child-marriage>> accessed 25 June 2022.

eliminate this practice in the Middle East region, or whether international law could do more in this regard, which is precisely what this report seeks to answer.

To successfully provide an analysis of the existing situation, and more specifically, child marriages in the Middle East, this report will begin by addressing the practice of child marriages in various countries such as Afghanistan, Iran, Iraq, and Yemen, by providing the reader with a comprehensive analysis of the relevant domestic legal frameworks and by highlighting the impact of the Covid-19 pandemic. In the second chapter, the report will delve deeper into international legal instruments used to combat child marriage as well as the consequences of an insufficient international human rights framework on the domestic level. Finally, with the aforementioned in mind, the report will conclude by outlining key recommendations.

Chapter 1: Child marriages in the Middle East

To begin, the practice of child marriages in various countries in the Middle East region will be analysed (infra I). After examining some States, the domestic legal framework in these countries will be studied (infra II) as well as the impact of the Covid-19 pandemic on the issue (infra III).

1.1. Practice of child marriages in various countries

The practice of child marriage is present in many countries in the Middle East. This chapter will take a look at the prevalence of this practice across the Middle East. The countries Afghanistan (infra 1), Iran (infra 2), Iraq (infra 3) and Yemen (infra 4) have been chosen to reflect the wide range of factors related to child marriage that make them countries with some of the highest rates of child marriage in the region.

1.1.1. Afghanistan

In Afghanistan, early marriages of children under the age of 15, despite its legal prohibition, is widespread and remains a major challenge for children.⁵ One third of Afghan girls marry before the age of 18.⁶ Registration of marriage is still not common in the country, as a result, child marriages are more likely to be unregistered.⁷ For this reason, available data fails to reflect the real number of child marriage cases in the country. These practices are more prevalent in rural areas, especially along the borders with Pakistan.⁸

Within the country, child marriage is also driven by social, cultural and economic reasons. Government data indicates that lack of education contributes to early marriage.⁹ Indeed, girls who are not in school are three times more likely to get married before the age 18 than girls who have completed secondary school or higher.¹⁰ Early marriage often forces girls to drop out of school. Moreover, these traditional practices are regularly economically driven. Girls can be considered a potential source of income.¹¹ Child marriage is sometimes used to settle disputes between families and to strengthen ties – a practice known as Baad – in Afghanistan. Child brides are constantly subjected to physical abuse, mental abuse and torture at the hands of their in-laws.¹² Girls who try to run away to escape a forced marriage are subjected to the practice of honour killings by their families, or they are sometimes arrested and accused of Zina, which is the act of fleeing and is therefore seen as a moral crime.¹³ The other harmful traditional practice is the Baadl, which consists of the exchange of daughters in

5. UN General Assembly, "Summary of Stakeholders' submissions on Afghanistan", Report of the Office of the United Nations High Commissioner for Human Rights (2019) A/HRC/WG.6/32/AFG/3, para. 11.
6. UNICEF, "State of the World's Children 2016" <<https://data.unicef.org/topic/child-protection/child-marriage/>> accessed 4 April 2022 ; UNICEF, "Child Marriage Country Profiles" (2022) <<https://data.unicef.org/resources/child-marriage-country-profiles/>> accessed 4 April 2022.
7. Afghanistan Independent Human Rights Commission, "Submission on Child Marriage for the High Commissioner Report" (2018) p. 1.
8. UNFPA, "Child marriage" <<https://afghanistan.unfpa.org/en/node/15233#:~:text=Child%20marriages%20are%20illegal%20but,along%20the%20borders%20with%20Pakistan>> accessed 4 April 2022.
9. Human Rights Watch, "I won't be a doctor, and one day you'll be sick" (2017) <<https://www.hrw.org/report/2017/10/17/i-wont-be-doctor-and-one-day-youll-be-sick/girls-access-education-afghanistan>> accessed 4 April 2022 ; Girls Not Brides, "Atlas Afghanistan" <<https://atlas.girlsnotbrides.org/map/afghanistan>> accessed 4 April 2022.
10. Ibid.
11. Ibid.
12. Ibid.
13. International Centre for Missing and Exploited Children, "Child Marriage in the Middle East and North Africa" (2013) p. 11 <https://www.icmec.org/wp-content/uploads/2015/10/Child_Marriage_in_the_MENA_Region.pdf> accessed 5 April 2022 ; Girls Not Brides, "Atlas Afghanistan" <<https://atlas.girlsnotbrides.org/map/afghanistan>> accessed 5 April 2022.

marriage between families either before birth or as young as two.¹⁴ Furthermore, the humanitarian setting has aggravated poverty, insecurity and lack of access

to services such as education.¹⁵ These factors can lead child marriage to be seen as a way to avoid the economic difficulties caused by armed conflict.¹⁶ For some internally displaced families, child marriage can be considered a survival strategy.¹⁷ As reported by the Norwegian Refugee Council, displaced girls are often married to older men who can support them financially.¹⁸ Girls are thus more vulnerable to marriages which are perceived as survival tactics.¹⁹ Finally, the majority of adolescent girls have a child during marriage. Marriage can thus be used to avoid the social stigma of premarital sex and the birth of a child outside marriage.²⁰

The consequences of early marriage are dramatic. A study based on Health Ministry records and hospital reports indicates that more than 2,000 women and girls in Afghanistan attempt suicide each year by setting themselves on fire as a result of early marriage.²¹

1.1.2. Iran

In Iran, harmful traditional practices of marriage are still prevalent. There are different forms of child marriages in this country. Blood marriages still occur in tribal areas, which consists of resolving a dispute between two tribes by marrying a girl.²² Another form of early marriage is the practice of naval string marriages which involve a girl being promised to marry a cousin or distant relative at birth by a symbolic cutting of the umbilical cord.²³ Temporary marriages, such as Siqeh, which are used to avoid Islamic restrictions on sexual relations outside marriage may involve young girls.²⁴ In some rural areas, girls are sold to Afghan families in exchange for financial compensation.²⁵

14. International Centre for Missing and Exploited Children, "Child Marriage in the Middle East and North Africa" (2013) p. 11 <https://www.icmec.org/wp-content/uploads/2015/10/Child_Marriage_in_the_MENA_Region.pdf> accessed 5 April 2022 ; Girls Not Brides, "Atlas Afghanistan" <<https://atlas.girlsnotbrides.org/map/afghanistan>> accessed 5 April 2022.
15. Girls Not Brides, "Atlas Afghanistan" <<https://atlas.girlsnotbrides.org/map/afghanistan>> accessed 5 April 2022.
16. Women's International League for Peace and Freedom, "Submission to the UN CEDAW Committee" (2020) p. 14 <https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2fCEDAW%2fCSS%2fAFG%2f40991&Lang=fr> accessed 5 April 2022 ; Girls Not Brides, "Atlas Afghanistan" <<https://atlas.girlsnotbrides.org/map/afghanistan>> accessed 5 April 2022.
17. Ibid.
18. Norwegian Refugee Council, "Displaced women and girls trapped in Afghanistan's cities" (2015) <<https://www.nrc.no/news/2015/march/displaced-women-and-girls-trapped-in-afghanistans-cities/>> accessed 5 April 2022.
19. Girls Not Brides, "Atlas Afghanistan" <<https://atlas.girlsnotbrides.org/map/afghanistan>> accessed 5 April 2022.
20. Ibid.
21. United Nations Mission in Afghanistan and the Office of the High Commissioner for Human Rights, "Harmful Traditional Practices and Implementation of the Law on Elimination of Violence against Women in Afghanistan" (2010) <http://unama.unmissions.org/Portals/UNAMA/Publication/HTP%20REPORT_ENG.pdf> accessed 5 April 2022 ; The New Humanitarian, "Afghanistan: Attempted suicide by women, girls on the rise?" (2010) <<http://www.irinnews.org/report/90083/afghanistan-attempted-suicide-by-women-girls-on-the-rise>> accessed 5 April 2022.
22. Girls Not Brides, "Atlas Iran" <<https://atlas.girlsnotbrides.org/map/iran>> accessed 8 April 2022.
23. Ibid.
24. Ibid.
25. Südwind, "Violations of Girls' Rights" (2014) p. 4 <<https://www.girlsnotbrides.org/learning-resources/resource-centre/child-marriage-and-fgm-in-iran/>> accessed 8 April 2022 ; UN CRC Committee, "Concluding observations on the combined third and fourth periodic reports of the Islamic Republic of Iran" (2016) para. 89 <https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fIRN%2fCO%2f3-4&Lang=fr> accessed 8 April 2022.

Finally, many marriages that take place in remote areas fail to be systematically collected and officially registered. Therefore, the number of early marriages may be underreported.²⁶ As a result, there are no accurate statistics related to child marriages in Iran.²⁷

1.1.3. Iraq

In Iraq, armed conflict has increased poverty, insecurity and lack of access to basic services such as health care, education and employment, contributing to widespread child marriage. Girls are systematically abducted, raped, sexually enslaved and married by armed groups who consider them "weapons of war",

particularly refugees from Syria and internally displaced Iraqis.²⁸ Conditions in refugee camps are precarious, which may lead some families to marry off their daughters in order to protect them.²⁹ Lack of education is also a consequence of the conflict. Children have not been able to access school for years, which has made girls more vulnerable to early marriage.³⁰ In addition, in the post-conflict context of Iraq, poverty is widespread, leaving girls at risk of being married off by their families to escape financial hardship.³¹

Finally, beyond the armed conflict, this harmful practice is rooted in the traditional, social and cultural norms of some Iraqi communities. To preserve family honour, some parents believe that girls should be cared for by a man and should therefore marry early.³² Child marriage is used to prevent sexual relations outside marriage, which are perceived as an illicit act by some families.³³

1.1.4. Yemen

Child marriage has long been a phenomenon in Yemen, which has one of the highest rates of child marriage in the world.³⁴ There are various factors to take into consideration for this country's high rate of child marriage. Yemen is the poorest country in the Middle East.³⁵ Indeed, poverty is a crucial factor leading to child marriages in this country. Furthermore, illiteracy rates in Yemen are among the highest in the Middle East region, especially among women.³⁶

26. Ibid.

27. United Kingdom Government, "Country Policy and Information Note Iran: Women – Early and forced marriage" (2021) p. 32 <<https://www.readkong.com/page/country-policy-and-information-note-iran-women-early-2209365>> accessed 8 April 2022.

28. Girls Not Brides, "Atlas Iraq" <<https://atlas.girlsnotbrides.org/map/iraq>> accessed 12 April 2022 ; UN CRC Committee, "Concluding observations on the combined second to fourth periodic reports of Iraq" (2015) para. 74 <https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fRQ%2fCO%2f2-4&Lang=fr> accessed 12 April 2022.

29. Girls Not Brides, "Atlas Iraq" <<https://atlas.girlsnotbrides.org/map/iraq>> accessed 12 April 2022.

30. Ibid.

31. Ibid.

32. Ibid.

33. Ibid.

34. UNICEF, "Child Marriage Country Profiles" (2022) <<https://data.unicef.org/resources/child-marriage-country-profiles>> accessed 13 April 2022.

35. UNDP, "Prolonged conflict would make Yemen the poorest country in the world, UNDP study says" (2019) <<https://www.undp.org/press-releases/prolonged-conflict-would-make-yemen-poorest-country-world-undp-study-says>> accessed 13 April 2022.

36. International Centre for Missing and Exploited Children, "Child Marriage in the Middle East and North Africa" (2013) p. 15 <https://www.icmec.org/wp-content/uploads/2015/10/Child_Marriage_in_the_MENA_Region.pdf> accessed 13 April 2022.

Since the beginning of the conflict, poverty, insecurity and lack of access to services such as education have worsened, leading to a significant increase in the rate of early marriage in the country.³⁷ According to United Nations Population Fund (UNFPA), child marriage is a coping mechanism.³⁸ In times of armed conflict, families often perceive child marriage as a way to cope with greater economic hardship, to alleviate the cost of childcare, or to protect girls from further violence.³⁹ Therefore, the financial amount paid by the groom's family is perceived as an important source of income, and many families may view the husband as offering better care and protection.⁴⁰ According to Girls Not Brides, since the conflict began, two million children have lost access to education, which makes girls more exposed to early marriages.⁴¹ Moreover, girls have been married through “tourism” marriages with men from abroad for the purpose of sexual exploitation.⁴² Finally, the practice of child marriage is also used for the preservation of family honour.⁴³ Marriage is seen as a form of protection for girls against premarital sexual activity.

1.2. Domestic legal framework in various countries

Given the continued prevalence of child marriages in the Middle East region, the report will analyse how national laws in Afghanistan (infra 1), Iran (infra 2), Iraq (infra 3) and Yemen (infra 4) address the issue of early marriages.

1.2.1. Afghanistan

Under Article 70 of the Civil Code of the Republic of Afghanistan 1977, the minimum age of marriage is 18 for boys and 16 for girls or 15 with the permission of the girl's father or a judge.⁴⁴ The marriage of a girl under 15 is prohibited according to the Article 71 of the Civil Code of the Republic of Afghanistan 1977.⁴⁵ However, in practice, Afghan law is rarely enforced, so earlier marriages remain prevalent in the country with around 35 percent of girls being affected.⁴⁶ Indeed, these age restrictions, while meaningful in theory, provide a lack of protection for young girls in practice. Births are rarely registered in Afghanistan, which limits the authorities' knowledge of early marriages, the application of legal protections for married children and makes it difficult to establish the age of the bride with certainty.⁴⁷

37. Girls Not Brides, “Atlas Yemen” <<https://atlas.girlsnotbrides.org/map/yemen>> accessed 13 April 2022.

38. UNFPA, “Child marriage” <<https://www.unfpa.org/news/families-increasingly-resort-child-marriage-yemen%E2%80%99s-conflict-grinds>> accessed 13 April 2022.

39. Girls Not Brides, “Atlas Yemen” <<https://atlas.girlsnotbrides.org/map/yemen>> accessed 13 April 2022.

40. UNFPA, “Child marriage” <<https://www.unfpa.org/news/families-increasingly-resort-child-marriage-yemen%E2%80%99s-conflict-grinds>> accessed 13 April 2022.

41. Girls Not Brides, “Atlas Yemen” <<https://atlas.girlsnotbrides.org/map/yemen>> accessed 13 April 2022.

42. Ibid.

43. Ibid.

44. Civil Code of the Republic of Afghanistan 1977.

45. Ibid.

46. Girls Not Brides, “Atlas Afghanistan” <<https://atlas.girlsnotbrides.org/map/afghanistan>> accessed 25 April 2022.

47. International Centre for Missing and Exploited Children, “Child Marriage in the Middle East and North Africa” (2013) p. 12 <https://www.icmec.org/wp-content/uploads/2015/10/Child_Marriage_in_the_MENA_Region.pdf> accessed 25 April 2022.

Therefore, courts usually rely on parental estimates or dental examinations to determine the age of the child, which leads to inexact results.⁴⁸

Moreover, Afghanistan adopted legislation to protect women's rights and has ratified international treaties on women's rights. The Elimination of Violence against Women (EVAW) law was adopted in 2009, which highlights the State's positive obligation to protect victims and prosecute perpetrators of violence against women such as physical abuse and sexual assault, requiring the police to register complaints and protect victims, and courts to prioritise such cases. However, the EVAW law is not effectively implemented, particularly in remote and rural areas.⁴⁹ Cases of violence against women, including criminal cases, are often mediated on the basis of cultural norms rather than the legal framework, resulting in widespread impunity.⁵⁰ As reported by the United Nations (UN) in 2018, violence against women and girls is still largely ignored by the Afghan criminal justice system.⁵¹ The United Nations Assistance Mission in Afghanistan (UNAMA) has emphasised that the extensive use of mediation in criminal cases of violence against women promotes impunity, allows the recurrence of violence against women and leads to women's lack of confidence in the legal system.⁵² In addition, according to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) Committee in 2013, early marriage is part of a persistence of adverse cultural norms, practices and traditions which are harmful to women. In 2017, Convention Against Torture (CAT) Committee expressed its deep concerns about the widespread practice of child marriages and recommended that the State party “takes all measures to ensure that forced and early marriages are prohibited, those responsible are prosecuted and punished and the victims are rehabilitated”.⁵³ As recommended by the Convention on the Rights of the Child (CRC) Committee, Afghanistan has to rectify the disparity in the minimum age of marriage for boys and girls by raising the minimum age for marriage to 18 years for girls.⁵⁴ The Committee expressed concern that the majority of children remain unregistered.⁵⁵ Birth registration is an essential process to protect the rights of children, particularly in protecting children against early marriages.

48. Ibid.

49. UN CAT Committee, “Concluding observations on the second periodic report of Afghanistan” (2017) CAT/C/AFG/CO/2, para. 37 <<https://undocs.org/Home/Mobile?FinalSymbol=CAT%2FC%2FAFG%2FCO%2F2&Language=E&DeviceType=Desktop&LangRequested=False>> accessed 25 April 2022 ; Human Rights Council, “Report of the Special Rapporteur on violence against women, its causes and consequences” (2015) A/HRC/29/27/Add.3, paras. 63-64 <<https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2F29%2F27%2FAdd.3&Language=E&DeviceType=Desktop&LangRequested=False>> accessed 25 April 2022.

50. Ibid.

51. UNAMA and OHCHR, “Injustice and Impunity: Mediation of Criminal Offences of Violence Against Women” (2018) p. 6 <https://unama.unmissions.org/sites/default/files/unama_ohchr_evaw_report_2018_injustice_and_impunity_29_may_2018.pdf> accessed 25 April 2022.

52. Ibid.

53. UN CAT Committee, “Concluding Observations of Afghanistan” (2011) CAT/C/AFG/CO/2, para. 36 <https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CAT%2FC%2FAFG%2FCO%2F2&Lang=fr> accessed 25 April 2022.

54. UN CRC Committee, “Concluding Observations of Afghanistan” (2011) CRC/C/AFG/CO/1, para. 24 <https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2FC%2FAFG%2FCO%2F1&Lang=fr> accessed 25 April 2022.

55. Ibid, para. 34.

In April 2017, the Afghan government implemented a 2017-2021 National Action Plan to Eliminate Early and Child Marriages.⁵⁶ However, the plan is not publicly available. Thus, there is no information about the core of the plan and on the status of its implementation.

Furthermore, Afghanistan adopted the Girls' Education Policy which highlights dropping out of school as a result of child marriages in February 2019.⁵⁷ According to the report submitted by Afghanistan to the CRC Committee in 2019, a draft Family Protection Law is currently under review in which the minimum marriage age for both girls and boys would be 18.⁵⁸ Although Afghan civil law expressly prohibits the marriage of girls under the age of 15, the lack of widespread legal information and legal knowledge, and poor record-keeping severely limit the effectiveness of official prohibitions. The country has still not taken any effective measures to prevent and eliminate early marriages.⁵⁹ The implementation of ERAW has been slow and non-uniform.⁶⁰ The prevalence of parallel legal systems imposed by family and religious communities limits the ability to enforce frameworks around child marriage.⁶¹

1.2.2. Iran

Under Article 1041 of the Civil Code of the Islamic Republic of Iran, the minimum age of marriage is 13 for girls and 15 for boys, which exposes children to early and temporary marriage. In addition, marriage before the age of 13 is allowed with the permission of the child's guardian and in the best interests of the child as determined by a competent court. According to this Article, any child can be legally married at any age if the conditions of the provision are fulfilled. Furthermore, the requirement of a court decision in case of exception does not constitute a strong legal protection in practice. This determination is at the discretion of the judges and does not follow a uniform procedure. Some judges apply a high level of scrutiny, but other judges refer only to a medical certificate provided by the Forensic Medicine Organisation attesting to the child's physical growth. Thus, in Iran, there is still a significant legal vacuum regarding the concrete minimum age for marriage.⁶² Iran is one of few countries that has not signed or ratified the CEDAW which has prohibited child marriage. The CRC Committee expresses its deep concerns related to the increasing number of girls aged 10 and younger who are exposed to child marriages to much older men.⁶³

56. Government of Afghanistan and UNFPA, "National Action Plan to End Early and Child Marriage in Afghanistan: 2017-2021" (2016) p. 10.

57. Girls Not Brides, "Atlas Afghanistan" <<https://atlas.girlsnotbrides.org/map/afghanistan>> accessed 29 April 2022; UNICEF, "Thirty per cent of women aged 20-24 in South Asia were married before their 18th birthday" <<http://www.unicef.org/progressreport/childmarriage.html>> accessed 29 April 2022.

58. UN CRC Committee, "Combined second to fifth reports submitted by Afghanistan" (2019) CRC/C/AFG/2-5, para. 42 <https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fAFG%2f2-5&Lang=en> accessed 29 April 2022.

59. UN CRC Committee, "Concluding Observations of Afghanistan" (2011) CRC/C/AFG/CO/1, para. 55 <https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fAFG%2fCO%2f1&Lang=fr> accessed 29 April 2022.

60. UN General Assembly, "Report of the Office of the United Nations High Commissioner for Human Rights" (2018) A/HRC/WG.6/32/AFG/2, para. 45 <<https://www.ohchr.org/en/hr-bodies/upr/af-index>> accessed 29 April 2022.

61. Girls Not Brides, "Atlas Afghanistan" <<https://atlas.girlsnotbrides.org/map/afghanistan>> accessed 29 April 2022.

62. Shamin Ashgari, "Early Marriage in Iran: A Pragmatic Approach" (2019) p. 579.

63. UN CRC Committee, "Concluding observations on the combined third and fourth periodic reports of the Islamic Republic of Iran" (2016) CRC/C/IRN/CO/3-4, para. 59 <https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fIRN%2fCO%2f3-4&Lang=fr> accessed 29 April 2022.

Therefore, the minimum age of marriage is not in line with the international standards and no effective measures to prevent early marriages have been taken.

1.2.3. Iraq

Under Article 7 of the 1959 Personal Status Act Law in Iraq No. 188, the minimum legal age of marriage is set at 18 for girls and boys. However, there is a legal exception to this general provision in Article 8, which allows girls to be married at the age of 15. Indeed, a judge may authorise the marriage of girls at 15 years old under certain circumstances – the marriage must be an urgent necessity and attainment of legal puberty and physical ability should be taken into consideration.⁶⁴

Finally, in 2019, the CEDAW Committee expressed concerns related to the persistence of child marriages and the high rates of early marriages affecting internally displaced girls in refugee camps.⁶⁵ Iraq has an international legal obligation as a party to several human rights treaties to ensure that its laws are aligned with international and regional standards so that women and girls are free from child marriage.

1.2.4. Yemen

Yemen is one of the few countries in the Middle East without a legal minimum age of marriage.⁶⁶ As a result, there are no legal protections against child marriage under Yemeni law. In January 2014, one of the outcomes of Yemen's National Dialogue Conference was a draft constitutional provision setting the minimum legal age for marriage at 18 years of age for both girls and boys in accordance with international standards, and criminalising marriage under that age.⁶⁷ However, the law has not been adopted and child marriage has remained legal since.⁶⁸ In 2021, the CEDAW Committee expressed deep concerns on the increase of cases of child marriage as a coping mechanism for families affected by the conflict and enabled by the lack of a minimum legal age for marriage.⁶⁹

Yemen has therefore still not revised its laws and established a minimum age of marriage in compliance with international standards. As of yet, no effective measures have been taken to end the practice of child marriages.

64. Personal Status Law and amendments of Iraq, Law No 188 of the year 1959.

65. UN CEDAW Committee, "Concluding observations on the seventh periodic report of Iraq" (2019) CEDAW/C/IRQ/CO/7, para. 39 <https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fIRQ%2fCO%2f7&Lang=fr> accessed 2 May 2022.

66. UN CEDAW Committee, "Concluding observations on the combined seventh and eighth periodic reports of Yemen" (2021) CEDAW/C/YEM/CO/7-8, para. 24 <https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fYEM%2fCO%2f7-8&Lang=fr> accessed 2 May 2022.

67. Girls Not Brides, "Atlas Yemen" <<https://atlas.girlsnotbrides.org/map/yemen>> accessed 2 May 2022.

68. Ibid.

69. UN CEDAW Committee, "Concluding observations on the combined seventh and eighth periodic reports of Yemen" (2021) CEDAW/C/YEM/CO/7-8, para. 24 <https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fYEM%2fCO%2f7-8&Lang=fr> accessed 2 May 2022.

1.3. Impact of the COVID-19 pandemic

In March 2020, the World Health Organization declared Covid-19 a global pandemic. In response, most countries in the world imposed restrictive measures to contain its spread, including social distancing, banning mass gatherings, closing schools, and, in some cases, complete lockdown of the population's movement. The Covid-19 pandemic has had a devastating impact on economies, communities and families. The poorest countries are particularly affected by this situation due to their limited access to health and social services.⁷⁰ The current crisis is deeply affecting girls on a daily basis, especially regarding their physical and mental health, their education, and the economic circumstances of their families and communities.⁷¹ The pandemic significantly exposed girls, especially amongst the poorest and socially marginalised groups, to early marriages. As reported by UNICEF on 8 March 2021, the effects of Covid-19 on child marriage can be seen in five main factors: interrupted education, economic insecurity, disruptions to programmes and services, pregnancy, and death of a parent.⁷²

According to United Nations Educational, Scientific and Cultural Organization (UNESCO), 180 countries had adopted nationwide school closure by the end of March 2020.⁷³ Interrupted education, closure of schools and restrictions on movement are risk factors for increased child marriages. Many children were not able to benefit from distance learning due to a lack of resources, such as an internet connection, a lack of tutoring and a lack of support.⁷⁴ The Covid-19 pandemic has highlighted the challenges of schools in remote and poor areas that do not have internet networks to provide online courses. Even when access to the internet is available, some families cannot afford the costs.⁷⁵

The pandemic has had a devastating impact on economies at the national, community and household level⁷⁶. Indeed, many vulnerable families lost their jobs and income which contributes to the increase in child marriages.⁷⁷

Moreover, as Covid-19 infections overwhelm health systems, women and girls may be particularly affected by cuts in health care and social services, such as access to sexual and reproductive health information and services.⁷⁸ Travel restrictions and social distancing can make it difficult for women and girls to have access to

70. UNFPA and UNICEF, "Child Marriage in the Context of Covid-19" (2021) p. 6 <<https://www.unicef.org/mena/reports/child-marriage-context-covid-19>> accessed 2 May 2022.

71. Ibid. p. 29 ; UNICEF, "COVID-19. A threat to progress against Child Marriage" (2021) p. 6 <<https://data.unicef.org/resources/covid-19-a-threat-to-progress-against-child-marriage/>> accessed 4 May 2022.

72. UNICEF, "COVID-19. A threat to progress against Child Marriage" (2021) p. 8 <<https://data.unicef.org/resources/covid-19-a-threat-to-progress-against-child-marriage/>> accessed 4 May 2022.

73. Girls Not Brides, "Covid-19 and Child Marriage : A Year On" (2021) p. 3 <<https://www.girlsnotbrides.org/learning-resources/resource-centre/covid-19-and-child-early-and-forced-marriage-an-agenda-for-action/>> accessed 4 May 2022.

74. Ibid.

75. UNFPA and UNICEF, "Child Marriage in the Context of Covid-19" (2021) p. 20 <<https://www.unicef.org/mena/reports/child-marriage-context-covid-19>> accessed 4 May 2022.

76. Girls Not Brides, "Covid-19 and Child Marriage : A Year On" (2021) p. 5 <<https://www.girlsnotbrides.org/learning-resources/resource-centre/covid-19-and-child-early-and-forced-marriage-an-agenda-for-action/>> accessed 4 May 2022.

77. Ibid.

78. UNICEF, "COVID-19. A threat to progress against Child Marriage" (2021) p. 24 <<https://data.unicef.org/resources/covid-19-a-threat-to-progress-against-child-marriage/>> accessed 4 May 2022.

programmes and services that aim to protect them from early marriages as well as gender-based violence. For instance, shelters and safe spaces may be unavailable.⁷⁹ Interruptions to these services can create barriers to accessing contraception, resulting in unintended pregnancies and subsequent child marriage.⁸⁰

In addition, the restrictive physical distancing measures of the Covid-19 pandemic may also have an effect on civil registration systems, particularly marriage and birth registration, which may lead to child marriages going underground and interfere with data collection on the incidence of new child marriages.⁸¹ Many field activities implemented by UNICEF and other organisations related to the prevention of child marriage had to stop during the lockdown in the Middle East. For example, in 2018, the Global Programme to Accelerate Action to End Child Marriage (GPECM) elaborated a strategy of identifying a person with the potential to influence the community to lead a social dialogue on child protection issues.⁸² Most of these activities have been interrupted due to Covid-19 restrictions.

Finally, the death of a girl's parent can also increase their risk of becoming a child bride, since it may lead to further difficulties for family members to support her financially.⁸³

The global impact of these five factors on early marriage depends on the extent to which restrictive measures, such as restrictions on movement, economic activity as well as school closures and social distancing rules, are put in place. It also depends on the weakness or strength of a country's economy and the availability of social and health protection programs. However, other contextual drivers may also contribute to child marriages. These include social and gender norms, the prevalence of social protection and poverty reduction programs, the presence of conflicts and forced migration and displacement. We note that Covid-19 pandemic was an unexpected challenge for the world, by which programs aiming to combat and prevent harmful practices such as child marriage, were affected by interruptions and delays. This current crisis has intensified the risk of child marriage. The five factors that drive early marriages have been exacerbated and constitute a serious threat to the progress achieved in the fight against child marriage in the Middle East. The number of child marriages which have occurred since the beginning of the crisis is unknown, as most marriages are not registered.⁸⁴ According to UNICEF, over the next decade, 10 million more girls will be at risk of early marriages as a consequence of the Covid-19 pandemic.⁸⁵

79. Girls Not Brides, "Covid-19 and Child Marriage : A Year On" (2021) p. 5 <<https://www.girlsnotbrides.org/learning-resources/resource-centre/covid-19-and-child-early-and-forced-marriage-an-agenda-for-action/>> accessed 4 May 2022.

80. UNICEF, "COVID-19. A threat to progress against Child Marriage" (2021) p. 8 <<https://data.unicef.org/resources/covid-19-a-threat-to-progress-against-child-marriage/>> accessed 4 May 2022.

81. Girls Not Brides, "Covid-19 and Child Marriage : A Year On" (2021) p. 6 <<https://www.girlsnotbrides.org/learning-resources/resource-centre/covid-19-and-child-early-and-forced-marriage-an-agenda-for-action/>> accessed 4 May 2022.

82. UNFPA and UNICEF, "Child Marriage in the Context of Covid-19" (2021) p. 19 <<https://www.unicef.org/mena/reports/child-marriage-context-covid-19>> accessed 4 May 2022.

83. UNICEF, "COVID-19. A threat to progress against Child Marriage" (2021) p. 8 <<https://data.unicef.org/resources/covid-19-a-threat-to-progress-against-child-marriage/>> accessed 4 May 2022.

84. Ibid, p. 6.

85. Ibid, p. 5.

Chapter 2: International legal instruments and child marriages

The international community has taken many steps to protect the rights of children, particularly against harmful practices such as early marriage. Some human rights instruments provide explicit protection from child marriage, such as the CEDAW (infra 1), the CRC (infra 2), the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages (infra 3) and the Arab Charter on Human Rights 2004 (infra 4). This chapter will, after explaining said provisions, study the effects on the domestic level of the insufficient international human rights framework (infra 5).

2.1. Convention on the Elimination of All Forms of Discrimination against Women

One of the international legal instruments that expressly prohibits child marriage is the CEDAW. Article 16 (2) of CEDAW states that “[t]he betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage”. Furthermore, this provision contains that States parties shall “make the registration of marriages in an official registry compulsory”.⁸⁶ As child marriages are very often unregistered in many parts of the world to avoid minimum age requirements for marriage, this compulsory registration condition is an important step towards preventing and combating early marriages.⁸⁷ Indeed, the lack of registration of births and marriages in the Middle East is a significant barrier to protection against child marriage, as it does not determine the age of the girl at marriage and therefore makes it difficult to enforce existing child marriage provisions.

However, simply requiring States parties to CEDAW to set an official minimum age for marriage, without specifying a minimum acceptable age, provides limited protection for girls.⁸⁸ Indeed, many countries in the Middle East have low minimum legal ages for marriage, especially for girls.⁸⁹ Thus, these States parties can continue this harmful practice while complying with the provisions of CEDAW. The word “child” is unclear and undefined, leaving it up to the States parties to determine the minimum age for marriage and adopt national legislation accordingly. Moreover, many countries of the region in the Middle East have made reservations to CEDAW where it conflicts with Islamic law.⁹⁰ As a result, any protection accorded to child brides is reduced, especially in regard to the customs and traditions in the States. Countries may have divergent interpretations of the minimum age of marriage and therefore not ensure effective and increased protection against child marriage in practice.

86. CEDAW, Article 16 (2).

87. International Centre for Missing and Exploited Children, “Child Marriage in the Middle East and North Africa” (2013) p. 9 <https://www.icmec.org/wp-content/uploads/2015/10/Child_Marriage_in_the_MENA_Region.pdf> accessed 4 May 2022.

88. Ibid.

89. Ibid.

90. International Centre for Missing and Exploited Children, “Child Marriage in the Middle East and North Africa” (2013) p. 9 <https://www.icmec.org/wp-content/uploads/2015/10/Child_Marriage_in_the_MENA_Region.pdf> accessed 4 May 2022.

2.2. Convention on the Rights of the Child

The CRC, conceived as a global treaty on child rights, contains no explicit provision on the subject of child marriage. Although it establishes in Article 36 that “States parties shall protect the child against all other forms of exploitation prejudicial to any aspects of the child's welfare”, there is no specific mention to child marriage in this Convention. Moreover, Article 1 states that “a child means every human being below the age of eighteen years, unless under the law applicable to the child, majority is attained earlier”.⁹¹ The term “majority” is undefined in the CRC and is at the discretion of the domestic law. Many countries, especially in the region of Middle East, set the minimum age of marriage under the age of 18.⁹² Thus, without a definition of majority, States parties can technically conform to Article 36 without taking effective measures to prevent early marriage.

Furthermore, Article 24 establishes that States parties shall take all measures to abolish “traditional practices prejudicial to the health of the children”,⁹³ which is another provision of the CRC that could be interpreted as sanctioning child marriage. This article is probably the most appropriate to be invoked against child marriage, considering the extreme risks to the sexual and reproductive health of girls, especially pregnancy and childbirth.

Hence, the legal vacuum on the prohibition of child marriage in the CRC is alarming given the harmfulness of the practice and its serious consequences on the physical, mental, reproductive and sexual health of children. Given all these gaps and lack of clarity, the CRC cannot be considered to contain a solid framework for protection against child marriage, which is regrettable

2.3. Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages

The Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriage (Marriage Convention) was adopted to ensure that marriage is only conducted with the consent of the intending spouses. This Convention, while explicitly establishing the prohibition and condemnation of child marriage, has not been widely ratified by countries, particularly in the Middle East region. Indeed, countries with a high prevalence of child marriage have not ratified the Convention, making its actual effectiveness questionable.⁹⁴

91. CRC, Article 36.

92. International Centre for Missing and Exploited Children, “Child Marriage in the Middle East and North Africa” (2013) p. 9 <https://www.icmec.org/wp-content/uploads/2015/10/Child_Marriage_in_the_MENA_Region.pdf> accessed 4 May 2022.

93. CRC, Article 24.

94. International Centre for Missing and Exploited Children, “Child Marriage in the Middle East and North Africa” (2013) p. 8 <https://www.icmec.org/wp-content/uploads/2015/10/Child_Marriage_in_the_MENA_Region.pdf> accessed 4 May 2022.

With regard to the term “consent”, Article 1 of the Convention states that the free and full consent of both parties is required for marriage, but also that this consent “shall be expressed by them in person, after due publicity and in the presence of the competent authority”. However, the Marriage Convention does not provide more detail on the meaning, definition and determination of consent, which allows families to counteract this provision and force the child into marriage.

Moreover, although Article 2 prohibits the marriage of children under the minimum legal age for marriage, it states an exception that allows a competent authority to grant a dispensation as to age, for serious reasons, in the interest of the intending spouses, without specifying which reasons are to be considered serious. Therefore, this provision completely leaves it to the discretion of competent national authorities to set this minimum age for marriage and does not recommend an absolute minimum age, which leads to legal uncertainty.

Thus, the Marriage Convention does not comprehensively protect children from early marriages as it does not give a precise definition of consent, state the minimum age for marriage, nor specify the “serious reasons” allowing the marriage exceptionally. In addition, this Convention contains no monitoring or reporting requirements making it difficult to assess its impact in preventing child marriage. It would be desirable to include a provision expressly prohibiting child marriage in the Convention in order to fully protect children from this harmful practice.

2.4. Arab Charter on Human Rights 2004

The Arab Charter on Human Rights (Arab Charter), which entered into force in 2004, was established by the League of Arab States stating that men and women must be of marriageable age to give their consent to marriage in Article 33(1). Thus, the League of Arab States brings regional legislation in the Middle East and North Africa into line with international standards on spousal consent. However, the formulation of the “marriageable age” remains open to interpretation. Although Article 33(3) requires States parties to take all appropriate legislative, administrative and judicial measures to ensure the best interests of children, this Charter does not expressly prohibit early marriage.

Therefore, without a clear definition of the age of marriage, this leaves a broad scope of interpretation as to which marriages are actually prohibited by the States parties to this Charter.

2.5. The consequences of an insufficient international human rights framework, on the domestic level

Through this analysis of the national laws of Afghanistan, Iran, Iraq and Yemen, one can see recurring shortcomings which reveal the influence of the existing international framework. Indeed, as,

the international conventions are unclear and thus leave a wide scope of interpretation to the States Parties, which leads to disparities and gaps in domestic laws. On top of that, these treaties have not been signed by all States in the Middle East region.

With regard to the minimum legal age, it is not indicated by international Conventions such as CEDAW,⁹⁵ CRC,⁹⁶ the Marriage Convention⁹⁷ or the Arab Charter.⁹⁸ Indeed, none of these Conventions specify or suggest a clearly defined age. For example, Article 16 (2) of CEDAW requires States Parties to set a minimum age without requiring a specific age, leaving it to the discretion of the States to determine the marriageable age. In the CRC, the definition of "majority" - that every child is over 18 years of age - is thus not effective as it makes an exception and allows States to adopt legislation on majority below 18 years of age. This legal vacuum impedes the uniform application of a minimum legal age for marriage by States, as illustrated by the examples of Afghanistan, Iran, Iraq and Yemen. Thus, without a clear definition of the minimum legal age in international conventions, it is difficult to put pressure on States to change their national laws regulating marriage to comply with international standards.

Furthermore, regarding the registration of marriages, the relevant provision referring to this is Article 16 (2) of CEDAW, making registration mandatory. However, in practice, as mentioned previously, the age of a child is often not provable, due to the absence of reliable birth records. There is no effective State control over birth and marriage registrations even though international law explicitly regulates this. The absence of birth and marriage registration is a major factor in child marriage in the countries analysed above.

Moreover, regarding the notion of consent, the Marriage Convention lacks consistency in the definition of this term and allows the competent authorities to authorise marriages exceptionally for serious reasons. There is no requirement for proof of consent. States such as Afghanistan, Iraq and Iran have not ratified this Convention. Although Yemen has signed this Convention, Article 23 of the Personal Status Act No. 20 of 1992 requires that only women who are already married express their consent to a marriage. The silence of a woman who has not previously married, is deemed to signify her consent. Thus, Yemen's national law - the Personal Status Law - is not in line with international obligations.

Therefore, all these issues and legal shortcomings legitimise these harmful practices. Given the harmful consequences of this practice on children and the fact that it is not only prevalent in Afghanistan, Iran, Iraq and Yemen, but also in other countries in the Middle East region, it is imperative that a clear international provision addresses these issues to end this phenomenon.

95. Ratification of the CEDAW by Afghanistan, Iraq and Yemen.
96. Ratification of the CRC by Afghanistan, Iraq, Iran and Yemen.
97. Ratification of the Marriage Convention by Yemen.
98. Ratification of the Arab Charter by Iraq and Yemen.

Chapter 3: Recommendations

As these States profiles illustrate, child marriage is not limited to any particular country in the Middle East region. As a result of this analysis, one can note that child marriages are still very widespread in the region despite international obligations. International human rights law has many shortcomings regarding this issue, as well as many exceptions, and therefore does not provide sufficient and effective protection for children affected by this harmful practice. Indeed, none of these conventions contain all the elements necessary to prohibit it in its entirety. Moreover, the national laws enacted in the countries covered above are largely unenforced.

In this regard, the requirement of a minimum age for marriage is fundamental to combating this phenomenon. Another essential condition is the obligation to register births and marriages. Indeed, a child's marriage cannot be identified and prosecuted without the registration of the child's personal information. These two registrations are thus complementary in order to be certain of the child's age at the time of marriage. Furthermore, as the CRC is dedicated solely to children, it should explicitly prohibit child marriage. Finally, the notion of consent must be included into the treaties in order to provide a precise and clear definition. To combat child marriage efficiently, action must be taken through a multi sectoral approach.

Through the analysis undertaken in this report, recommendations to be made to States and the international community to fight against the scourge of child marriages can be identified. In this light, the proposed amendments are as follows:

- Incorporating a clear, precise and explicit provision in international instruments raising the minimum legal age of marriage to 18 years for both girls and boys, without exception;
- Incorporating a specific provision prohibiting the harmful practice of child marriage into the CRC;
- Ensuring the necessity of birth registrations into the provisions that already provide for compulsory marriage registrations to track the ages of the brides and facilitate a standard process for registering of marriages;
- Incorporating a comprehensive provision on consent, including a definition of the term, and make the consent of both future spouses a precondition for a valid marriage in international instruments;

- Introducing and enforcing national laws prohibiting all forms of child marriage;
- Monitoring and reporting systems that track the progress of States in reducing the incidence of child marriage;
- Addressing the root causes of child marriage, such as poverty, the lack of security and poor education;
- Establishing a national hotline for reports and complaints by victims of child marriage with the resources to provide information, support and advice free of charge 24/7;
- Conducting awareness-raising campaigns and sensitization programs on the harmful effects of early marriage on the physical and mental health and well-being of girls, targeting households, local authorities, religious leaders and judges and prosecutors;
- Establishing confidential reporting mechanisms, training teachers to recognize and report child marriage;
- Providing safe spaces for girls at risk of child marriage and married girls;
- Ensuring access to comprehensive health information including comprehensive sexuality education, contraception, prevention of early pregnancy, safe abortion services and psychosocial support;
- Ensuring access to sexual and reproductive health services in and out of schools for girls;
- Ensuring continued and safe access to quality education in crisis situations, including Covid-19 for girls at risk of child marriage and married girls;
- Providing statistical data disaggregated by marital status, gender, age and place of origin to better understand the needs and risks faced by girls, and the trends and changes among displaced communities;
- Providing migrant women, refugee women and internally displaced women and girls who are victims of gender-based violence, including child marriage and trafficking in persons, with free and immediate access to medical services, legal assistance and a safe environment, as well as to female health-care providers and services, such as reproductive health care and counselling

Conclusion

From the analysis of the issue of child marriage, high levels of poverty, displacement, social and political instability increase the vulnerability of children to exploitation in the form of early marriages. Beyond the root causes of child marriage, the applicable international human rights law framework thus demonstrates an insufficiency in the prevention and protection of children from this harmful practice, which has a certain impact on domestic law as shown by the examples of Afghanistan, Iran, Iraq, and Yemen. Thus, the lack of clear guidance by international law seems to influence national law. Therefore, it is necessary and urgent to provide all the necessary clarifications on this issue.

Although important achievements have been made in the Middle East region, many challenges and gaps remain, in particular the lack of domestic law strictly prohibiting child marriages, the lack of birth and marriage registrations and the lack of awareness of this human rights violation. By undertaking several recommended actions, including raising the legal age of marriage to 18, requiring birth and marriage registration, increasing awareness of the negative impacts of the practice, improving access to education for girls, and adopting legislative measures to combat child marriage, countries can begin to address the roots of the practice and take meaningful steps to eliminate it completely.

According to UNICEF, over the next decade, up to 10 million more girls will be at risk of becoming child brides as a result of the Covid-19 pandemic.⁹⁹ School closures, economic stress, service disruptions, pregnancy, and parental deaths due to the pandemic are putting the most vulnerable girls at increased risk of child marriage. Looking ahead, the overall aim is to strengthen the capacities of international, national and regional stakeholders to prevent, protect from, and respond to child marriage as a form of gender-based violence and a human rights violation.

99. UNICEF, "10 million additional girls at risk of child marriage due to Covid-19" (2021) <<https://www.unicef.org/press-releases/10-million-additional-girls-risk-child-marriage-due-covid-19>> accessed 5 July 2022.

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