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Child, early and forced marriage in humanitarian settings
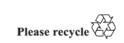
Report of the United Nations High Commissioner for Human Rights

Summary

Based on information received from States, United Nations agencies, civil society organizations and other relevant stakeholders, the present report, building on two prior reports to the Human Rights Council on preventing and eliminating child, early and forced marriage, assesses the issue of child, early and forced marriage in humanitarian settings. It highlights the incidence of child, early and forced marriage in such settings, provides an overview of its causes and consequences and outlines promising practices to put an end to it.

I. Introduction

1.   The present report is prepared pursuant to Human Rights Council resolution 35/16 and follows two prior reports to the Human Rights Council on preventing and eliminating child, early and forced marriage (A/HRC/26/22 and Corr.1 and A/HRC/35/5). It focuses on the issue of child, early and forced marriage in humanitarian settings, providing an overview of its incidence. The report highlights its causes, explores challenges and gaps in responding to it and records promising practices. The report was prepared based on various sources, including submissions by 15 States, 24 national human rights institutions, 39 civil society organizations and research institutes and 18 United Nations and other international entities.[1]

2.   Humanitarian crises can involve a variety of situations, such as conflict and post-conflict, displacement, epidemics, famine, environmental emergencies and the aftermath of natural disasters. Reports and data on the prevalence of child, early and forced marriage in humanitarian settings remain limited. The 2019 *Global Humanitarian Overview* states that nearly 132 million people in 42 countries around the world will need humanitarian assistance and protection, mostly due to conflict.[2] Out of those in need of humanitarian assistance, an estimated 34 million are women of reproductive age.[3] It is considered that 9 of the 10 countries with the highest child marriage rates are either fragile or extremely fragile.[4]

3.   During humanitarian crises, systems to keep individuals safe – in their homes, schools and communities – may be undermined or damaged, with a possible increase in instances of forced recruitment by armed forces and armed groups, economic exploitation, slavery-like conditions, sexual and gender-based violence and human trafficking. Similarly, the enjoyment of human rights by the civilian population, including access to essential services, is affected by the disruption of community and family systems, limited economic opportunities and livelihoods and the collapse of the State's public services and political, economic and social structures. Varied and complex reasons, including acute economic and protection needs underpinned by gender power imbalances, may heighten the risks of child, early and forced marriage. In some instances, however, crises have disrupted societal structures and the traditional roles of men and women, leading to reduced child and forced marriage rates.

II. International legal framework

4.   Child, early and forced marriage is a human rights violation, a form of gender-based discrimination, a harmful practice and a form of sexual and gender-based violence, which requires States to take steps to prevent and eliminate it.[5] The international legal framework applying to child, early and forced marriage has been detailed in earlier reports (A/HRC/26/22, paras. 7–16, A/73/257 and A/71/253).

5.   United Nations human rights mechanisms have affirmed that fundamental human rights obligations, including economic, social and cultural rights, continue to apply in humanitarian settings. In its general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention on the Elimination of All Forms of Discrimination against Women (para. 11), the Committee on the Elimination of

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[1] The submissions referred to in the present report are available from www.ohchr.org/EN/Issues/Women/WRGS/Pages/Documentation.aspx.

[2] United Nations Office for the Coordination of Humanitarian Affairs, *Global Humanitarian Overview 2019* (2019), p. 5.

[3] United Nations Population Fund (UNFPA), "Humanitarian action 2019 overview", 2019, p. 3.

[4] Girls Not Brides, "Child marriage in humanitarian settings", thematic brief, 2018.

[5] Joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2014) on harmful practices, paras. 7 and 8.

Discrimination against Women affirms that the obligations of States parties do not cease in periods of armed conflict or in states of emergency resulting from political events or natural disasters. Therefore, States must continue to respect, protect and fulfil women's right to equality. In its general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations (para. 57 (d)), the Committee urges States to provide protection and assistance for internally displaced and refugee women and girls, including by safeguarding them from gender-based violence, including forced and child marriage, and to ensure education and income-generation and skills training activities are available. Moreover, in its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19 (para. 24), the Committee reiterates that States have a duty to take all appropriate measures to prevent, as well as to investigate, prosecute, punish and provide reparations for, acts of or omissions by non-State actors that result in gender-based violence against women.

6.   As the Committee goes on to mention in the same general recommendation (para. 25), both international humanitarian law and human rights law have recognized certain direct obligations of non-State actors in specific circumstances, including as parties to an armed conflict. International humanitarian law, which applies only in situations of armed conflict, contains a number of relevant legal obligations drawn from the Geneva Conventions relating to the protection of victims of international armed conflicts, the protocols additional thereto and customary international humanitarian law. As a minimum, States – whether or not they are parties to the conflict – have a duty to provide protection to girls and women against violence, sexual assault and forced prostitution and to provide special care to pregnant women and mothers of young children, including in relation to food, clothing, medical assistance, evacuation and transportation.[6]

III. Causes of child, early and forced marriage in humanitarian settings

7.   Child, early and forced marriage occurs in many forms and is linked to varied and complex factors (A/HRC/26/22, paras. 17–20). Research and reports suggest that, in humanitarian settings, the causes of child, early and forced marriage specifically, and sexual exploitation and abuse more broadly, include increased violence and protection-related concerns, economic insecurity and poverty. Common to all causes are underlying and pre-existing gender inequality, gender-based discrimination, harmful gender stereotypes, beliefs and cultural norms. Additionally, inequalities in marriage and family relations affect women's and girls' experiences when they are coerced into marriage.

1. Insecurity, violence and protection concerns

8.   In times of humanitarian crisis, the breakdown of family, social and legal networks linked to real or perceived risks of sexual violence and the consequent "damage to family honour" underpin families' decisions to marry girls at an early age. Fear of sexual violence against women and girls has been found to be a major concern and a reason for families to leave their homes and seek refuge elsewhere, and an incentive to marry off their daughters at a young age in the belief that marriage will protect them.[7] Research on sexual violence in conflict-affected settings found an estimated prevalence of sexual violence among refugees and displaced persons in complex humanitarian emergencies of 21.4 per cent, suggesting

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[6] Geneva Convention relative to the Protection of Civilian Persons in Time of War, arts. 16–18, 21–23, 38, 50, 89, 91 and 127; Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the protection of victims of international armed conflicts, arts. 8 (a), 70 (1) and 76 (2); rule 134 of the Customary IHL Database of the International Committee of the Red Cross.

[7] Maureen Murphy and others, "Evidence brief: what works to prevent and respond to violence against women and girls in humanitarian settings?", (Washington DC: George Washington University and London: International Rescue Committee, 2016).

that approximately one in five women who are refugees or otherwise displaced by conflict experience sexual violence.[8]

9.   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 (A/72/218, para. 49). Studies indicate that, for security reasons, girls are the first to be pulled out of school, limiting their access to education. Limited education, coupled with increased confinement at home, leads to the perception that the girls in the family will become a financial burden and that marriage could provide them with protection and financial stability.[9]

10.   High levels of displacement have led to an increase in child, early and forced marriage, both in conflict contexts and in countries of destination of refugee populations. For instance, the rate of child, early and forced marriage among Syrian refugee girls in Jordan rose to 32 per cent in 2014, compared with an average of 13 per cent in the Syrian Arabic Republic before the war. It was revealed that, in the majority of cases documented by the Independent International Commission of Inquiry on the Syrian Arab Republic during the war between March 2011 and December 2017, girls aged between 12 and 16 years and some adults, including widows, were victims of child, early and forced marriage (A/HRC/37/CRP.3). In its submission, Soutien Belge OverSeas reported that cultural beliefs regarding the need to protect girls' virginity for the honour of the family have led Syrian refugee communities in Lebanon to use marriage as a way to avoid the influence of less conservative cultures in the host community. Girls Not Brides noted in its submission that, in Chad, child marriage is the most commonly reported form of violence among young Sudanese and Central African refugee girls.

11.   The breakdown of societal structures often coincides with the takeover of legal institutions by armed actors or violent extremist groups. Such groups have at times perceived women and girls as either a tool or a threat to their ideology and enforced social order. In some cases, girls and women have been forced to marry members of these groups to serve as sex slaves. For example, from 2014 onwards, Yazidi girls and women were forced to marry members of Islamic State in Iraq and the Levant (ISIL) (A/HRC/32/CRP.2 and A/HRC/37/CRP.3, para. 83). ISIL in the Syrian Arab Republic, Boko Haram in Nigeria and Cameroon and the Islamist armed group Al-Shabaab in Somalia have abducted girls and women to be raped, sold and forced into marriage.[10] Similar instances of harmful practices, such as child, early and forced marriage, have been reported in the Central African Republic, Libya, Mali and Somalia.[11] In other contexts, such as in Malaysia and Nigeria, armed and organized crime groups have used child and forced marriage as a cover for human trafficking and other forms of child sexual exploitation.[12] Furthermore, 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, fighters frequently abducted girls as so-called bush wives for the purpose of sexual exploitation and slavery. During the Khmer Rouge regime in Cambodia, thousands of women were forced into marriage as part of the regime's aim to create a labour force through doubling the population.[13] Similarly, the Independent International Commission of Inquiry on the Syrian Arab Republic documented numerous accounts of ISIL fighters forcing families to marry off their girls, as unmarried women and girls over the age of puberty were perceived by ISIL as a threat to its ideology and enforced

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[8]   Ibid.
[9]   UNICEF and others, "Child marriage in humanitarian settings: spotlight on the situation in the Arab region", 2018.
[10]   Girls Not Brides, "Child marriage in humanitarian settings", p. 2.
[11]   See A/HRC/39/72, para. 58; S/2018/250; A/HRC/37/CRP.3; A/HRC/32/CRP.2; and Internal Displacement Monitoring Centre and Norwegian Refugee Council, "Nigeria: multiple displacement crises overshadowed by Boko Haram", 9 December 2014.
[12]   Girls Not Brides, "Child marriage in humanitarian settings", p. 3.
[13]   Theresa de Langis and others, *"Like Ghost Changes Body": A Study on the Impact of Forced Marriage under the Khmer Rouge Regime* (Phnom Penh, Transcultural Psychosocial Organization of Cambodia, 2014).

social order (A/HRC/37/CRP.3). To prevent their daughters from marrying ISIL fighters, some families married their daughters to other males. Other families fled or sent their daughters away, unaccompanied or smuggled to other regions, where they were exposed to other risks of abuse and exploitation (A/HRC/37/CRP.3). In the Kobane refugee community in Turkey, families reported fleeing partly to protect girls from sexual violence and forced marriage to armed combatants in the Syrian Arab Republic.

12.   Other communities have married off their girls with members of armed or violent groups, often under coercion, to avoid further attacks and violence (A/HRC/32/CRP.2 and A/HRC/37/CRP.3). In the Philippines, during the Marawi displacement crisis in 2017, girls married members of armed groups due to the need for economic stability. It was revealed in a 2017 needs assessment in the Philippines that, in at least 12 per cent of the sites surveyed, incidents were reported of survivors of sexual violence marrying their perpetrators in order to avoid the risk of stigmatization and rejection by their own communities and families.[14]

13.   In other contexts, such as in Afghanistan, child marriage is considered an internal family matter, ruled by traditions and religious codes, and is used as a tool to prevent violence between families or to strengthen relations between parents of the bride and the groom. As the national human rights institution of Afghanistan noted in its submission, it has been reported that the perpetration of a crime could result in a customary tribunal forcing the family of the defendant to marry off their girl, regardless of her age, to a man in the family of the complainant. The girl who had been forced to be married would be treated as a punished girl in the husband's family, and would therefore be likely to be subjected to ill-treatment.

2.   Economic insecurity, poverty and lack of income opportunities

14.   During conflict, displacement and natural disasters, financial pressures and food insecurity may increase the prevalence of child marriage. Without reliable income-generation opportunities, educational opportunities, access to land or support systems, families may feel added pressure to marry off their girls in the hope that the husband and his family will provide for them. This is supposedly meant to alleviate the economic burden and to make it possible to cope with the financial challenges faced by refugees, or it can be a survival strategy in the absence of viable alternatives. In some cases, families will agree to the temporary "marriage" of their daughter in exchange for financial gains. This is also referred to as a contractual marriage, which is a form of sexual exploitation and can amount to trafficking or sexual slavery.[15]

15.   Save the Children reported in its submission that an assessment conducted in South Sudan in 2017 found that bride dowries, in the form of cash or livestock, led desperate families to marry off their underage girls in order to improve both the girl's and her family's chances of survival. In north-east Nigeria, there are strong links between economic insecurity, food insecurity and child, early and forced marriage. Girls have reportedly been forced into child marriage because they could not afford school fees, food, shelter or other necessities. In northern Cameroon and in Nigeria, families facing extreme poverty in camps for internally displaced persons and refugee camps have used marriage as a way to avoid or recover family debts, because of a lack of alternatives and the breakdown of social networks. According to the International Catholic Child Bureau, parents in Cameroon receive dowry payment for their unborn or infant daughter through practices involving so-called money women. Once the girl turns seven, she joins the household of the man she is promised to, while the parents receive a dowry. If the girl objects, the dowry will have to be repaid. Moreover, refusing the marriage might lead to the girl being rejected by her family or community. As Girls Not Brides highlighted in its submission, after the Indonesian tsunami in 2004, girls were pushed to marry so-called tsunami widowers in Indonesia, India

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[14]   Plan International, submission and *Child Protection Rapid Assessment Report: Marawi Displacement* (October 2017).

[15]   See joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child.

and Sri Lanka in order to access State subsidies for marrying and starting a family. A survey conducted by the United Nations Children's Fund (UNICEF) in Yemen indicated that the high rate of child marriage among the internally displaced population was driven by the loss of property and homes and the worsening of living conditions, as many people could no longer afford adequate housing and food.[16]

IV. Consequences of child, early and forced marriage in humanitarian settings

16.   Child, early and forced marriage is associated with a wide range of consequences, which were also addressed in the previous report (A/HRC/26/22, paras. 21–24). Women and girls living their entire lives in contexts of heightened risk and in humanitarian settings experience limited access to services and information, increased potential exposure to sexually transmitted infections, unintended pregnancies, unsafe abortions, a heightened risk of maternal mortality and morbidity and the risk of gender-based violence (A/HRC/39/26, para. 30).

17.   Girls who are subjected to child marriage are often less able to make important decisions about their sexual and reproductive health, such as negotiating safe sex and contraceptive practices, or to access services. The Center for Reproductive Rights noted in its submission that this may be because of uneven power dynamics within their relationships or a lack of knowledge and information or laws, or it may be because of policies and practices that otherwise limit the decision-making power of adolescents. Among the countries with the 30 highest rates of child marriage, more than half are in a situation of conflict.[17]

18.   The disintegration of health infrastructure can have critical impacts on the sexual and reproductive health and rights of girls and women. In countries designated as fragile States, the estimated lifetime risk of maternal mortality is 1 in 54, compared with a 1 in 180 lifetime risk globally. Every day, around 500 women and girls die from complications due to pregnancy and childbirth in countries in humanitarian and fragile situations.[18] What is more, adolescents who have been married are more at risk of pregnancy-related injuries such as obstetric fistula, intimate partner violence and sexually transmitted infections, including HIV.

19.   In crisis settings, child, early and forced marriage increases the likelihood of dropping out of school. Whereas adolescent boys may drop out of school to find work, the lack of economic opportunities for adolescent girls makes them more reliant on men, which can make it more likely that they will experience early pregnancy and early marriage.[19] For instance, 65 per cent of the children who dropped out of school following the 2015 earthquakes in Nepal were girls, and respondents to a survey stated that early marriage was the primary reason for dropping out.[20] According to the Global Coalition to Protect Education from Attack, girls and women in at least 18 countries have been targeted because armed groups were opposed to them getting an education.

20.   Child, early and forced marriage can result in situations that meet the international legal definition of slavery. The practices concerned include servile marriage, sexual slavery, human trafficking and forced labour (A/HRC/26/22, para. 21), and can give rise to activities by organized crime groups. In a report on conflict-related sexual violence, the Secretary-General noted that, in countries such as the Central African Republic, Mali,

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[16] United Nations Children's Fund (UNICEF) and Youth Leadership Development Foundation, "Tadhafur program for safe age of marriage: child marriage survey", May 2017.

[17] See Inter-Agency Working Group on Reproductive Health in Crises, *Inter-Agency Field Manual on Reproductive Health in Humanitarian Settings* (2017).

[18] UNFPA, "Humanitarian action 2019 overview", p. 3.

[19] Global Coalition to Protect Education from Attack, *Education under Attack 2018* (Education Above All and Columbia University, 2018).

[20] See the work of the Commonwealth Initiative for Freedom of Religion and Belief, and the Girls Not Brides submission.

Somalia and Yemen, where rates of child marriage were among the highest in the world, armed, terrorist and transnational criminal groups directly profited from trafficking, with victims being either abducted or deceived by false promises and ending up enduring sexual slavery and forced prostitution (S/2018/250, para. 18).

21.   As indicated above, girls and women endure multiple forms of gender-based violence under the guise of marriage. The Independent International Commission of Inquiry on the Syrian Arab Republic reported that ISIL fighters had successively forced many women and girls into marriage, some as many as six or seven times within two years. When the so-called fighter-husband was killed, ISIL command deliberately waived the Islamic three-month period of mourning, thus making it possible to pass a woman on to the next fighter in line. As for the widowed or unmarried women and girls who were unable to stay with relatives, they were often forced to live in "guest houses" run by Hisbah, where they were subjected to forced prostitution and sexual exploitation. The monitoring and reporting mechanism on grave violations against children in situations of armed conflict, which was established in accordance with Security Council resolution 1612 (2005), noted that girls who were forcibly married to fighters barely knew their names and were frequently divorced and abandoned when those fighters moved to other areas or regions. Other consequences include high numbers of child widows, because of their husbands dying in conflict. According to Action on Child, Early and Forced Marriage, when the husband dies, the child widow is left destitute, as there is often no safety net, such as a pension. A child who has been married to an ISIL or Taliban fighter might even be rejected by their own family.

22.   In some instances, stigmatization is both a consequence and driving factor. The fear of retaliation owing to the concept of family honour is often constructed around notions of female virginity before marriage and sexual fidelity afterwards, and can be compounded by the presumption of guilt by association facing women and girls who have been forcibly married. Reports indicate that some women and girls in the Syrian Arab Republic and Yemen committed suicide after being subjected to sexual violence, because they were unable to cope with the perceived shame of the rapes and the added pressure by family members. Many former wives of Al-Shabaab fighters in the coastal regions of Somalia and Kenya face similar risks of stigmatization and retaliation, including from the public authorities. As the United Nations Assistance Mission in Afghanistan (UNAMA) noted in its submission, women in this situation are sometimes seen as "enemies of the State" or are radicalized (S/2018/250, para. 62). In Nigeria and Cameroon, according to the submissions by Action on Child, Early and Forced Marriage and the National Commission on Human Rights and Freedoms of Cameroon, the girls kidnapped by Boko Haram were ostracized by society when returning home, as they had given birth to "children of the enemy". In the Central African Republic, survivors of sexual and gender-based violence were forced to relocate, together with their children, to different districts to escape abuse by their families (S/2018/250, para. 28). Such stigmatization related to sexual and gender-based violence is highly damaging to girls and women who have already suffered violation and abuse.

V.   Challenges and implementation gaps in addressing child, early and forced marriage in humanitarian settings

23.   Among the challenges that have been identified in addressing child, early and forced marriage in humanitarian settings are the impact of the disruption of services, the limited capacity and resources of actors to address harmful practices and the limited amount of evidence and data.

1.   Impact of the breakdown of infrastructure on the implementation and enforcement of legislative and policy measures

24.   In humanitarian settings, even where legislation prohibiting child marriage exists, its implementation and enforcement may be hampered by the disruption and collapse of public institutions and services. In their submissions, the United Nations Entity for Gender

Equality and the Empowerment of Women (UN-Women) and UNICEF reported that, in contexts of crisis, priority is usually given to the provision of physical infrastructure. That might not include transportation, health or educational infrastructure, even though they can be key to assuring the safety of girls and reducing parental anxiety – factors that may contribute to decisions to marry off underage girls (E/ESCWA/ECW/2015/2, p. 88). In addition, parts of countries in conflict may be controlled by non-State armed groups, which does not allow for the effective implementation of legislation. The United Nations Assistance Mission in Somalia reported in its submission that Al-Shabaab routinely abducted young girls and forced them to become sex slaves and wives of militants, adding that limited access to large parts of the country made it difficult for the State to enforce the law, to protect girls at risk and to fight against impunity.

25.   During and in the aftermath of crises, access to justice can be particularly challenging because formal justice systems may no longer exist or function with any level of efficiency or effectiveness. While the existing justice systems may often be ineffective for girls and women, all barriers faced by women in gaining access to justice before the national courts prior to the conflict, such as legal, procedural, institutional, social and practical barriers, are exacerbated during conflict, persist during the post-conflict period and operate alongside the breakdown of the police and judicial structures.[21]

2.   Lack of coordination and limited capacity to address the issue of child, early and forced marriage in humanitarian crises

26.   As indicated in the submissions received for the present report, one major gap hampering the prevention and elimination of child, early and forced marriage has been the general lack of technical capacity among State and non-State actors to address the matter effectively. The submissions contain no systematic approaches or responses to child marriage. In its submission, Terre des hommes in Jordan revealed a lack of monitoring and evaluation of the impact of the programmes in place. Such evaluation could be critical in promoting learning and dissemination of best practice, especially on how development practices in the area of child, early and forced marriage can be adapted to humanitarian contexts. A UNICEF survey found that non-governmental organizations working on gender-related issues in Yemen suffered from a severe deficiency in staff capacity and material resources, including for case management and case referrals, which dramatically weakened service delivery.[22] In the Sudan, the National Taskforce to End Child Marriage found through a 2017 survey that training was needed for all actors working on child marriage. In addition to services providers, that included law enforcement officials, the military, intersectoral departments and parliamentarians.

27.   Better coordination between all stakeholders working on child, early and forced marriage is key, as strong linkages and partnerships between civil society and different government entities are often lacking.[23] In their submissions, the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, Terre des hommes and the United Nations Population Fund (UNFPA) identified training and knowledge sharing between practitioners and agencies as a challenge in many other settings. The adoption of a human rights-based approach to policies and programmes that address child, early and forced marriage can support meaningful progress in this area, including implementation of the human rights principles of equality, inclusiveness, non-discrimination, participation, empowerment, transparency, sustainability, international cooperation and accountability (A/HRC/39/26).

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[21] Committee on the Elimination of Discrimination against Women, general recommendation No. 30, para. 74.

[22] UNICEF, *YEMEN Country Brief: UNICEF Regional Study on Child Marriage In the Middle East and North Africa* (Amman, 2017), p. 10.

[23] UNICEF, *SUDAN Country Brief: UNICEF Regional Study on Child Marriage In the Middle East and North Africa*, (Amman, 2017), pp. 9–10.

3. Lack of data and evidence on child, early and forced marriage in humanitarian settings

28. Several submissions highlighted the very limited amount of data in this regard, including disaggregated data on and evidence of the drivers, scale and nature of child, early and forced marriage and on how the practice varies across different humanitarian situations, from natural disasters to conflict situations. For example, in the Arab region, despite the existence of some data indicating an increase in the incidence of child marriage among displaced populations, it is not enough to determine the rate of fluctuations during or resulting from conflict.[24] Research indicates that child marriage is difficult to track, because no formal certificates are issued and the civil registration system barely functions during crises. At times, the practice is kept secret between the two families concerned.[25] There may be other factors relating to the methodological and contextual challenges regarding the collection of information on gender-based violence, including child, early and forced marriage, such as security concerns for survivors and those collecting information, a lack of available or accessible response services and difficulties in accessing information and survivors. Research indicates that, in order to address those challenges, it is necessary to carry out large-scale population-based surveys during periods of conflict or acute emergencies. However, the fact that the resources available for service delivery are often limited could, in turn, considerably limit the resources available for rigorous research.[26]

29. The lack of data and evidence gives rise to challenges for the design and implementation of programmes seeking to address effectively the needs of women and girls in particular, and for interventions aimed at preventing and eradicating child, early and forced marriage in humanitarian settings. According to a recent review of the existing evidence on child marriage, it has been demonstrated in the small amount of available literature on the practice in humanitarian settings that, while pre-existing drivers of child marriage, such as gender-based discrimination, are aggravated, concerns about protection will have a negative impact on access to education and economic opportunities for women and girls. The review highlighted a significant gap in the evidence on effective interventions to address child, early and forced marriage in humanitarian settings – evidence that could guide future initiatives – and also emphasized the lack of data on the prevalence of child, early and forced marriage in such settings.[27] Given the complexities faced by practitioners and researchers in humanitarian settings, it is recommended to use a combination of approaches, such as realistic evaluations, which can offer rigorous and informative alternative approaches for the purpose of gathering evidence.[28]

4. Limited funding for child, early and forced marriage programmes in humanitarian settings

30. In order to prevent harmful traditional practices, multi-year investment is required to tackle social norms and change behaviours according to which practices such as child, early and forced marriage are condoned. According to the submissions by UNICEF and World Vision, such interventions are often not automatically reflected or integrated in humanitarian programmes, nor are they considered life-saving. In the absence of sufficient resources, therefore, they are considered as less of a priority.

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[24] UNICEF and others, "Child marriage in humanitarian settings: spotlight on the situation in the Arab region".

[25] UN-Women submission and UNICEF and others, "Child marriage in humanitarian settings: spotlight on the situation in the Arab region".

[26] Maureen Murphy and others, "Evidence brief: what works to prevent and respond to violence against women and girls in humanitarian settings?".

[27] Julie Freccero and Audrey Whiting, *Toward an end to child marriage: Lessons from Research and Practice in Development and Humanitarian Sectors* (Berkeley, University of California Berkeley School of Law and Save the Children, 2018), p. 51.

[28] Ibid. and Mazeda Hossain and Alys McAlpine, *Gender based violence research methodologies in humanitarian settings: an evidence review and recommendations*, (Cardiff, Elhra, 2017).

31. Surveys conducted by UNICEF and the International Center for Research on Women found that limited funding was a key barrier to effectively addressing child marriage, particularly when the issue was not given priority in national policies. In the Sudan, for instance, scarcity of funding led to situations where service providers could attend to only one third of survivors' requests for protection and services.[29]

32. Additionally, funding shortages constitute significant barriers in the monitoring and evaluation of programmes to eradicate child, early and forced marriage. Reports have consistently recommended greater investment in programmes, including those aimed at assessing the effectiveness of educational measures, with a focus on grass-roots initiatives. Increased investment in monitoring and evaluation could facilitate ongoing learning and help inform future initiatives, including in humanitarian settings, where evidence is often anecdotal and unreliable.[30]

VI. Measures to prevent and eliminate child, early and forced marriage in humanitarian settings: promising practices

33. In emergencies and crisis contexts, harmful practices such as child, early and forced marriage are predictable and preventable. Child marriage is a cross-cutting issue that requires coordinated action by various actors across multiple sectors from the earliest stages of crises. The establishment of frameworks to address child marriage within emergency management systems and structures has been identified as a promising practice. That includes measures both to address the risk factors for child marriage and to provide support services for married girls and women. States and humanitarian actors should consider providing safe spaces, together with life skills and other economic empowerment programmes. They should also provide access to comprehensive health information and services, with adequate provision of and referral pathways to sexual and reproductive health services and psychosocial counselling. In host countries, such measures may include legal support and access to the asylum-seeking process. As Girls Not Brides mentioned in its submission, girls' safety has been promoted at water points, latrines and changing rooms in refugee camps. A number of promising ways to ensure prevention and risk mitigation and to strengthen protection systems against child marriage in such contexts were also identified.

1. Framing the issue and adopting culturally sensitive and context-sensitive approaches

34. In humanitarian contexts, negative social behaviours are frequently exacerbated or altered. It is a complex matter to change social norms and beliefs around the roles of girls and women being confined to family and reproduction or to change concepts of honour tied to girls' sexuality. Programmes aimed at addressing social norms should be evidence-based and contextualized (A/HRC/35/5, para. 28). Humanitarian responses should promote gender-transformative actions.

35. Interventions should be aimed at reinforcing human rights and enabling practising communities to collectively explore and agree upon alternative ways to fulfil their values without causing harm and violating the human rights of women and children, and they should help eliminate the practice in a more sustainable manner.[31] Framing the issue of child marriage and related interventions according to social and political sensitivities in each context has proved essential to gaining community support and overcoming barriers to

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[29] UNICEF in collaboration with the International Center for Research on Women, *Child Marriage in the Middle East and North Africa* (UNICEF, 2017), p. 61.

[30] See A/HRC/26/22 and Corr.1; A/HRC/35/5, para. 47 (d); A/73/257, para. 55 (n); UNICEF, *Child Marriage in the Middle East and North Africa*; and Girls Not Brides, "Child marriage in humanitarian settings".

[31] See joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child.

implementation. For instance, Save the Children reported on how it promoted girls' education in conservative contexts, including in the Islamic Hausa region in northern Nigeria, as a way to combat child marriage. In the Sudan, a campaign conducted in Kassala State involving community dialogue with religious and cultural leaders from predominantly Muslim communities successfully contributed to the abandonment of child marriage.[32]

36.   Interventions also need to be culturally sensitive and context-specific. For example, as Plan International reported, humanitarian actors in Borno and Adamawa States in Nigeria have provided education and livelihood support services to children, working in partnership with local government authorities and local communities. The Government of Iraq indicated that, among measures to prevent child marriage and protect girls, it encouraged girls to continue to attend schools, using positive incentives such as opening young people's social welfare centres to support girls in particular and conducting community dialogues. In the Democratic Republic of the Congo, Aide Rapide aux Victimes des Catastrophes established mentoring and youth clubs to support young people and prevent child, early and forced marriage. That helped girls who were already married to access safe spaces, receive training and get equipped with the skills to cope with their situation, and allowed them to receive resources from social networks to break the cycle of violence. UNFPA reported in its submission that the Government of Yemen had adopted a package of multisectoral interventions addressing child marriage, including interventions to promote gender equality, girls' education, enhancing employment and earning opportunities for girls, improving reproductive, maternal and child health, and community outreach activities.

2.   Promoting women's and girls' access to protective and responsive mechanisms

37.   Strengthening protection systems involves considering the broader framework that supports prevention and access to services for women and girls, including for reparation and redress. In that connection, awareness-raising and developing women's and girls' capacity to claim their rights and effectively access those mechanisms are essential (A/HRC/39/26, para. 58).[33]

38.   Hotlines, alert systems and digital applications have been used to report cases. For instance, UN-Women reported that the creation by the Government of the Central African Republic of a joint rapid response and repression unit for sexual violence against women and children, the use of a hotline and the establishment of an early warning mechanism had yielded positive results in the fight against child marriage. As the Netherlands highlighted in its submission, the Women's Refugee Commission piloted the Girls' Roster, a mobile tool in South Sudan designed by the Population Council, to help identify girls at risk and their needs. As part of the post-disaster needs assessment in Sri Lanka, UNICEF and Save the Children consulted with at least 800 children who had been affected by the 2016 floods and landslides in a safe and enabling environment. That provided avenues for sharing experiences and giving feedback as a way to identify protection needs for providing more tailored support and assistance.

39.   Safe houses or shelters for women and girls at risk or victims were another promising practice. UNICEF reported in 2017 that women and child-friendly safe spaces in Lebanon were accessed by at least 61,000 women and girls, which enabled them to discuss issues pertaining to their safety and security and plan risk mitigation strategies, and it allowed them to increase their participation in programme design. Since 2016, the Government of Yemen has been working with UNICEF to establish case management for social workers, addressing the issue of child marriage through its Ministry of Social Affairs. Multisectoral packages have been developed for social, legal, health and economic

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[32] Liv Tønnessen and Samia al-Nagar, "Interventions for the abandonment of child marriage in Sudan" in *Sudan Brief* (Bergen, Chr. Michelsen Institute, 2018).

[33] See also Save the Children, "Physical violence and other harmful practices in humanitarian situations", 2016.

empowerment and for vocational training, while dialogues have been promoted in communities regarding the consequences of child marriage and the benefits of delaying marriage and keeping children in school.[34] The European Union reported on a project that it had funded in Kenya to provide life-saving protection and income generation support to at-risk refugees. The project was aimed at preventing sexual and gender-based violence within the refugee populations of Dadaab, Kakuma and Kalobeyei, and at preventing people from resorting to negative coping mechanisms, including child, early and forced marriage.

3. Empowerment of girls and emergency education linked to protection response

40.   Poor educational opportunities can be both a cause and a consequence of child, early and forced marriage. Most importantly, education is a powerful tool for empowering women and girls. In humanitarian settings, providing girls with access to quality education requires innovative approaches, procedures, mechanisms and partnerships to overcome challenges that are intrinsically linked to the context (A/HRC/35/11, para. 66 (p)). Reported measures include support to families to send their girls to school, removing school fees, in-kind and cash transfers and the recruitment of more female teachers. UNICEF reported that it had supported the Government of Turkey on programmes to improve the enrolment and school attendance of Syrian children through financial incentives and conditional cash transfer programmes for education. The programmes focus on 15 provinces, and had reached more than 27,412 Syrian children at the time of writing. The European Union reported that it had scaled up its funding from 1 per cent of its humanitarian budget in 2015 to 10 per cent in 2019, with approximately €1.9 billion allocated to funding education in fragile and conflict-affected countries. Another initiative, on building resilience in crises through education, had been developed using €24 million of funding to improve access to quality education at preschool, primary and lower secondary levels for girls and boys in fragile and crisis-affected environments from 2018 to 2022. It was not reported whether those programmes specifically targeted girls' education.

41.   In crisis contexts, cross-sectoral initiatives are needed to address underlying factors that disadvantage girls' learning, for example, investing in inclusive education systems that particularly target girls with multiple dimensions of marginalization, including refugees, migrants and girls with disabilities, through initiatives such as training teachers, subsidizing safe and accessible transport and infrastructure, raising awareness and removing administrative barriers to education (A/72/218, paras. 108 and 110). In Somalia, the Finn Church Aid project offers inclusive access to quality education for 3,000 drought-affected, internally displaced and host community children in the Bay region of South West State. As the European Union reported, the project was aimed at preventing young people's childhood being lost to child labour, child marriage, recruitment by armed groups or other life-threatening activities.

4. Enhancing community engagement with the involvement of men and youth leaders

42.   Research has shown the need for the promotion of alternative models of masculinities, including through working with fathers to change the understanding of what it means to "love" a daughter and encourage a shift in mindsets from "protecting her" to "empowering her". Furthermore, stakeholders have underlined the need to deconstruct the meaning of protection and to link it to human rights, to help families and communities change perceptions around marriage as a protection tool for girls' safety in contexts of insecurity and violence (A/HRC/35/5, para. 35).

43.   Projects in Côte d'Ivoire and Haiti have contributed to addressing gender-unequal power relations, norms and practices through men's discussion groups, gender dialogue groups and economic empowerment programming, and have reportedly resulted in an

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[34] UNICEF, *Child Marriage in the Middle East and North Africa*, p. 80.

increased acceptance of gender equality norms by all.[35] Save the Children noted that, in Bangladesh, community-based discussion groups about gender and sexual and gender-based violence have reportedly helped men and boys to change their attitudes on dowries and child marriage.

44.   Furthermore, a combination of empowering young girls, mobilizing families and communities and scaling up access to response services addressing the needs of married girls is required. Save the Children reported on a project run in the Zaatari refugee camp in Jordan, where a holistic, multi-thematic approach has been adopted, addressing issues such as education, child poverty and livelihoods for children, families and caregivers and raising awareness through education and child-led community projects addressing child, early and forced marriage. In Algadaref State in the Sudan, local youth activism on child, early and forced marriage has been reported.[36]

45.   Community-based mobilization, targeted advocacy and awareness-raising activities for men and for community, tribal and religious leaders are also of importance in challenging and changing social norms that support child, early and forced marriage. As an example of the involvement of faith-based organizations, it was reported that, in the coastal areas of Kenya affected by al-Shabaab, the Catholic Church and the Congregation of Our Lady of Charity of the Good Shepherd contributed to a decline in child marriage through awareness-raising and several interventions, including with regard to public areas, water and sanitation and also focusing on food, nutrition and farming to sustain food security in families.

46.   As UNAMA highlighted in its submission, radio programmes and arts are important outreach and awareness-raising tools in remote areas. In the Sudan, a puppet-based project was used to inform community leaders, parents and children of the harmful effects of child marriage. Following the show, oaths were taken by community members to keep their village free of child, early and forced marriage. As Graduate Women International mentioned in its submission, a campaign for child marriage-free villages reached almost 200 villages in the Thar desert, and more than 49 villages were reported to be free of child marriage.

5.   Strengthening the birth and marriage registration systems, including through the use of digital applications

47.   In contexts where the legal requirement of civil registration cannot be implemented properly because of the breakdown of infrastructures, humanitarian actors have adopted measures to make registration accessible to populations in order to fight child, early and forced marriage. In Bangladesh, for example, a digital smartphone application developed by the Government and Plan International has made it possible for marriage registrars, solemnizers and matchmakers to establish the true age of a bride and groom. The application replaces the physical copy of a birth certificate, school leaving certificate or national identity card. In its pilot phase, the system was reported to have helped stop more than 3,700 child marriages. The application takes advantage of the fact that almost 80 per cent of the country's 160 million people have a smartphone. Although only 20 per cent of the population have access to the Internet, online and offline versions of the app are available, which means that even people in hard-to-reach rural areas will be able to use the technology. Those in other countries are considering following this example.

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[35] Maureen Murphy and others, "Evidence brief: what works to prevent and respond to violence against women and girls in humanitarian settings?".

[36] Liv Tønnessen and Samia al-Nagar, "Interventions for the abandonment of child marriage in Sudan".

6. Promoting comprehensive humanitarian preparedness and responses, led by humanitarian actors and those in other sectors, on child, early and forced marriage

48.   Child, early and forced marriage is a cross-cutting issue that requires preparedness and coordinated responses, with a multisectoral approach. Linking protection concerns with other sectors of intervention in humanitarian settings is key to preventing child, early and forced marriage.

49.   In Yemen, a cross-sectoral approach, where protection and education actors collaborate to reach areas where there is a high risk of child marriage, was piloted with support from the UNICEF-UNFPA joint Global Programme to Accelerate Action to End Child Marriage. The holistic approach incorporates life skills, programming, socioeconomic support and access to services to address the needs of women and girls in conflict settings. Plan International reported on a project intended for adolescent girls in north-east Nigeria, where girls at risk of child marriage are identified and the needs of survivors and victims are responded to in a comprehensive manner. It includes better coordination between gender-based violence caseworkers and child protection caseworkers working on cases covering child, early and forced marriage, non-formal education, income-generating activities, psychological support through peer mentoring, psychosocial well-being and the reintegration of children and young women formerly affiliated with Boko Haram. In addition, UNICEF reported on investing in risk mitigation and integration in other sectors, for example through the strengthening of social services and welfare and capacity-building for case management in a number of countries.

50.   Judging from the information received, one of the best approaches to avoid setbacks in combating child marriage in humanitarian settings is to integrate child marriage into emergency preparedness. As such, the identification of girls who are vulnerable to child marriage and sexual violence needs to be incorporated in the general screening process for other concerns in humanitarian protection work (with respect to refugees and migrants). For instance, the development and implementation of the centrality of protection strategies in Somalia and South Sudan has been mentioned as a way to prevent gender-based violence, including child marriage. UNICEF reported that an integrated rapid response mechanism had been set up in South Sudan to assess the risks in remote areas and to strengthen responses to gender-based violence in other sectors, including within the Real-Time Accountability Partnership in South Sudan, an initiative that involves various humanitarian actors.

VII. Conclusions and recommendations

51.   **Child, early and forced marriage is a human rights violation, a harmful practice and a form of gender-based violence. It has a higher incidence in humanitarian contexts, with terrible consequences for the human rights of victims, in particular women and girls. States have international legal obligations to address, prevent and eliminate child, early and forced marriage, to ensure human rights accountability and to provide redress and services for survivors. Those obligations continue to apply in humanitarian settings. Addressing child, early and forced marriage is a life-saving intervention with lifelong impact, and adequate funding and human resources should be prioritized for this purpose, alongside food, water, shelter and health services.**

52.   **Efforts to address child, early and forced marriage in humanitarian settings must recognize its profound linkages to norms and practices that discriminate against women and girls, which are exacerbated and compounded by the consequences of crises: poverty, displacement, a breakdown of institutions and insecurity.**

53.   **Eliminating child, early and forced marriage in humanitarian settings therefore requires holistic and integrated approaches and coordinated action between all stakeholders and across multiple sectors, including education, child protection, protection against gender-based violence, sexual and reproductive health and rights**

and economic empowerment, at the very onset of crises and throughout the response, transition and recovery. Such efforts should promote gender-transformative actions in a culturally appropriate manner, by enabling practising communities to collectively explore alternative ways of fulfilling their values and addressing their concerns.

54.   As reported above, numerous initiatives have been undertaken by stakeholders in multiple humanitarian settings to eliminate child, early and forced marriage. Based on the lessons learned from those experiences and the analysis contained in the present report, the following recommendations are made to States, humanitarian actors and other stakeholders:

(a)   Fund and promote reliable, transparent and participatory approaches to collect data on child, early and forced marriage and to produce analysis and research on its root causes, to inform programmes and interventions in humanitarian settings and to serve as a baseline to monitor their impact;

(b)   Ensure the meaningful participation of girls and adolescents in the development of policies and programmes to eliminate child, early and forced marriage;

(c)   Ensure that programmes and policies to address child and forced marriage, while being context-specific, always prioritize the enhancing of girls' voice and agency, including through psychosocial and medical services, legal support, education and income-generating opportunities;

(d)   Ensure access to effective and accessible prevention, protection and redress mechanisms for survivors of child, early and forced marriage, such as hotlines, safe houses and shelters, mobile applications and other early-warning mechanisms and legal support, including in the context of asylum-seeking processes, together with awareness-raising efforts for women and girls on how to claim their rights;

(e)   Support the establishment of rights-based sexual and reproductive health services and psychosocial counselling, responding to the experiences and needs of survivors and providing continuity of care and follow-up, and establish clear and effective referral pathways to those services for survivors;

(f)   Invest in and implement long-term community-based mobilization, targeted advocacy and awareness-raising activities, including for men, boys and community, tribal and religious leaders, in order to dismantle discriminatory social norms and practices and change attitudes condoning harmful practices;

(g)   Ensure that all actors involved in eliminating child, early and forced marriage, including case workers and case managers, law enforcement officials, the military, intersectoral departments, parliamentarians and health workers, are adequately trained;

(h)   Establish inclusive education systems that particularly target girls with multiple dimensions of marginalization, including refugees, migrants and girls with disabilities, and implement initiatives such as training teachers, building partnerships, subsidizing safe and accessible transport and infrastructure and removing administrative and discriminatory barriers to quality education for girls;

(i)   Design and encourage comprehensive, effective and rights-based civil registration processes, including through the use of information and communications technology;

(j)   Continuously invest in the strengthening of social services and welfare, and ensure that existing minimum standards in humanitarian response are met, such as the Sphere standards in food security and nutrition, health and protection and the Inter-Agency Standing Committee's Guidelines for Integrating Gender-based Violence Interventions in Humanitarian Action.

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