

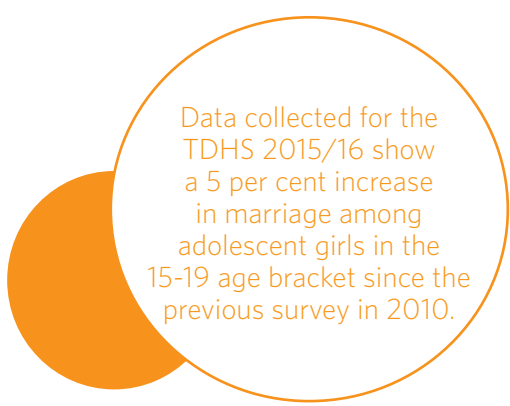
Fact Sheet: Child Marriage

Child marriage is a marriage in which one or both spouses are under 18-years-old.

Child marriage is a violation of children's human rights. Despite being prohibited by international law, conventions and treaties, it continues to rob millions of children under the age of 18, primarily girls, around the world of their childhood.

Child marriage denies girls their right to make vital decisions about their sexual health and well-being. It forces them out of education and into a life of poor prospects, with an increased risk of violence, abuse, ill health or early death. Child marriage perpetuates poverty, inequality and insecurity and is an obstacle to global development.

Understanding and addressing the challenges that perpetuate this harmful practice in Tanzania is essential, particularly as parents' decisions to have their daughters married at a young age is often motivated by a wish to do what is best for them, particularly in communities where there are few educational or economic opportunities.



Data collected for the TDHS 2015/16 show a 5 per cent increase in marriage among adolescent girls in the 15-19 age bracket since the previous survey in 2010.

Regional and international treaties prohibiting child marriage to which Tanzania is a signatory

Article 5 of the Protocol on the Rights of Women in Africa to the African Charter on Human and Peoples' Rights (known as 'The Maputo Protocol') prohibits and condemns all forms of harmful practices which negatively affect the human rights of women. The African Charter on the Rights and the Welfare of the Child mandates the protection of the girl child from harmful cultural practices such as child marriage.

Child marriage is a violation of Article 16(2) of the Universal Declaration of Human Rights, which states that: "Marriage shall be entered into only with the free and full consent of the intending spouses." Article 16 of the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) states that women should have the same right as men to "freely choose a spouse and to enter into marriage only with their free and full consent", and that the "betrothal and marriage of a child shall have no legal effect". By signing the Convention on the Rights of the Child (CRC), the United Republic of Tanzania has committed to take "all effective and appropriate measures with a view to abolish traditional practices prejudicial to the health of the children," which includes, among other practices, child marriage. The UN's Sustainable Development Goals call for Gender Equality, with Target 5.3 specifically calling for the elimination of all harmful practices by 2030, including child, early and forced marriage.

Child marriage prevalence

Prevalence of child marriage is high. According to data from the Tanzania Demographic Health Survey (TDHS) 2015/16, one in three women in Tanzania marry before their 18th birthday.¹ The same survey shows a 5 per cent increase in the marriage of adolescent girls in the 15-19 age bracket since the previous survey in 2010.

National, regional and international definitions of a child

The Law of the Child Act 2009, Tanzania; the Constitution of the United Republic of Tanzania 1977; the Sexual Offences Special Provisions Act (SOSPA) 1998, Tanzania; the African Charter on the Rights and Welfare of the Child (ACRWC); and the United Nations Convention on the Rights of the Child (CRC) define a child as a person under the age of 18.

¹ TDHS 2015/16.

What are the drivers of child marriage?



The drivers of child marriage in Tanzania are multifaceted and vary across regions and ethnic groups.

Conflicting legal and customary laws

The Law of Marriage Act, 1971 allows for boys to marry at 18 and for girls to marry at 15 with parental consent and permits both girls and boys to marry at 14 with a court's permission. The Local Customary Law (Declaration) Order, GN 279 of 1963 allows each ethnic group to follow and make decisions based on its customs and traditions. This law is particularly relevant to child marriage, since communities have the power to apply their own traditions in regard to the minimum age at marriage without breaking Statutory Law.

Poverty

Poverty as a key driver of child marriage cuts across all regions of the country. Economically disadvantaged families often struggle to provide food and clothing for their children, let alone fees or other costs related to keeping their children in school. As a result, many families resort to marrying off their daughters as a means of "protecting" them economically. Some girls may agree to marry young to escape the difficulties at home, unaware of the challenges marriage will bring. In some communities the bride price that parents receive upon marriage – often paid in cattle or cash – is seen as a strategy to reduce poverty.

Poverty is a significant factor that drives and results from child marriage. The prevalence of child marriage correlates with levels of household wealth – as wealth increases, child marriage decreases.² These married children are more likely to remain poor and therefore be trapped in the vicious intergenerational cycle of poverty that drives child marriage.

Low educational attainment

Girls with higher levels of education are less likely to marry as children. There is a strong negative relationship between a person's level of education and their age at first sex. The percentage of women who have sexual intercourse by age 15 decreases substantially as levels of education increase.³ Adolescent girls who drop out of school to marry seems to be most marked in the primary to secondary transition period.⁴

Gender inequality

Women and girls are subject to deep-rooted customs, norms and values that assign them a lower status in society. Gender inequality means that girls do not enjoy the same rights, resources, opportunities or protection as boys. Through child marriage, girls and women are systematically deprived of educational, financial and social resources. Gender inequitable norms are supported by other factors and conditions in girls' lives, including educational and economic opportunities, access to services and even geography.

Families with limited financial resources will educate boys who are seen as an economic investment. Additionally, a lack of schools in rural communities and the distances that girls must travel to and from school often leaves them vulnerable to sexual exploitation and assault; this is an additional barrier to them continuing their education.⁵

Teenage pregnancy

Child marriage is an indicator of the regular exposure of young women to the risk of pregnancy. Unequal power relations between boys and girls and men and women is one of the drivers of teenage pregnancy. In relation to teenage pregnancies it often manifests itself in the form of rape and coercive sex.⁶ Teenage pregnancy, or the fear of teenage pregnancy, plays an important role in driving child marriage in Tanzania. Teenage pregnancy has increased by 4 per cent since 2010, from 23 per cent to 27 per cent (TDHS 2015/16). This means that one in four adolescent girls aged 15-19 has begun childbearing. Unmarried pregnant adolescents may face stigma or rejection by their parents and peers and threats of violence and in most cases, the girl marries the man with whom she has become pregnant whether she wants to or not.

² National Survey on the Drivers and Consequences of Child Marriage in Tanzania. Ministry of Health, Community Development, Gender, Elderly and Children. February 2017.

³ Ibid.

⁴ Ibid.

⁵ Child Marriage in Tanzania at a Glance. 2017. Ministry of Health, Community Development, Gender, Elderly and Children. Available at: http://www.mcdgc.go.tz/data/Child_Marriage_Study.pdf.

⁶ Jennifer McCleary-Sills, Zayid Douglas, Annagrace Rwehumbiza, Aziza Hamisi & Richard Mabala (2013). Gendered norms, sexual exploitation and adolescent pregnancy in rural Tanzania. *Reproductive Health Matters*, 21:41, 97-105, DOI: 10.1016/S0968-8080(13)41682-8.



Harmful social practices

Different beliefs and rituals prevail across Tanzania that play out in divergent ways in marriage patterns. Hence, cultural diversity may bring different interpretations about when girls are generally considered ready for marriage, in some cases this may be when they reach puberty.⁷ Cultural practices such as female genital mutilation also contribute to child marriage in some communities.

Social norms

Social norms shape how sexuality is viewed, expressed, experienced and constrained. Parents are prompted to arrange early marriages for their daughters due to a perceived need to preserve girls' pre-marital virginity and to protect her and her family from the risk of shame or dishonour attached to "inappropriate" behaviour outside of marriage, which may also decrease the amount of dowry a family receives. There is also a fear of sexual assaults.

What are the consequences of child marriage?

A human rights' violation

Child marriage is a major violation of girls' human rights. These include a right to education; a right to the enjoyment of the highest attainable standard of health; the right to be protected from physical and mental violence, injury or abuse, including sexual abuse, rape and sexual exploitation; and the right to eventual employment.

An adverse effect on development

Child marriage results in a cohort of young poor girls with little education and limited economic opportunities who cannot contribute to the development of the country. Child marriage harms not only individual girls and women, but also their families and communities. Failure to combat this practice is likely to have negative implications for Tanzania's future social and economic development.

Negative health impacts of giving birth at an early age

Young brides lack the ability to negotiate safer sex, the use of contraception or birth spacing, particularly as the dynamics of child marriage may mean that their spouse is significantly older than them, reinforcing the dominate and subordinate roles that are at play within child marriage.

Young adolescents who give birth at an early age in Tanzania have low levels of education and tend to live in areas where access to health services is poor increasing their risks of maternal mortality. In 2013, complications of pregnancy and childbirth were the second leading cause of death among 15 to 19-year-old girls globally, with nearly 70,000 deaths annually (UNFPA, 2013).

Limited economic opportunities

Lower educational attainment, particularly at the secondary level, limits economic opportunities for girls. Fifty-eight per cent of child brides had career goals that were cut short due to marriage. These girls wanted to be nurses, business women/entrepreneurs, seamstresses, engaged in modern agriculture, teachers, and accountants. They cited that marriage and the responsibilities of children that come with marriage shattered their plans to realize these goals.⁸

Gender-based violence and adverse psychological impacts

Girls married at a young age are often more at risk of domestic violence, abuse and forced sexual relations.

Although there is little research on the psychological impacts of child marriage, it is clear that the practice poses significant risks to the psychological as well as the physical health and well-being of young girls. Being deprived of their childhood and adolescence, burdened with roles and responsibilities for which they are psychologically and emotionally unprepared, and being removed from their families and friends leave children in early marriages isolated and vulnerable, which can lead to depression and mental health issues.

⁷ Ending child marriages – new laws bring progress but hurdles remain. 2016. Bergen: Chr. Michelsen Institute (CMI Insight no. 4) 8 p.

⁸ National Survey on the Drivers and Consequences of Child Marriage in Tanzania. Ministry of Health, Community Development, Gender, Elderly and Children. February 2017.

Multi-sectoral responses to end child marriage

- Advocate for legislation that provides a framework for legal protection and guidance and legitimacy for policymakers and activists to tackle the financial, social and cultural drivers behind child marriage.
- Ensure that adolescent girls and boys have access to safe and age-appropriate sexual and reproductive health information and services, including voluntary family planning, that will allow them to make a safe transition from childhood into adolescence and adulthood.
- Undertake culturally sensitive engagement at all levels, including with gatekeepers – parents, teachers, community members and others to change social norms to create an environment where both boys and girls are able to complete their education and to make informed choices and decisions on marriage and childbearing.



Success Story from the Field

Changing perceptions of harmful practices at the community level

KIWOHEDE (Kiota Women's Health and Development Organization) works for the rights, health and development of women, youth and children in Tanzania to ensure that they have the opportunities and skills needed for a future free from abuse, exploitation and poverty. With support from Save the Children, KIWOHEDE has been implementing the European Instrument for Democracy & Human Rights (EIDHR) project in Tanzania. The aim is to support local civil society to combat harmful practices and discriminatory gender norms that affect children and youth, particularly adolescent girls.

KIWOHEDE has been working with the community in Uyogo Ward, Lake Zone to raise awareness of the harmful effects of child marriage. There has been a gradual shift in the perceptions of this harmful practice and community members are now more willing to report incidents of child marriage.

Stella Maziku, a 16-year-old girl born in Masunga Village, Uyogo Ward Council, attended community meetings about the harmful impacts of child marriage and sought the help of the Ward Executive Officer when her parents decided that the time had come for her to marry.

When Stella was 16, her father decided to marry her off. A poor farmer, cultivating tobacco and cotton, he was offered six cows as a bride price for his daughter. Stella

Mr Edson Monela speaks out to the community about the need to end child marriage at an event in Bonanza, Uyogo ward.

did not want to marry at such a young age and recalled the Ward Executive Officer speaking at a village meeting about the limited value parents placed on keeping their daughters in school as well as child marriage.

Stella went to the Ward Executive Officer and asked for help. He sent an official letter to Stella's parents, but they did not respond. Stella went to stay with her aunt in Mwanza, pledging not to return until the wedding preparations were cancelled. The Executive Officer spoke to Stella's parents and explained the laws and strict penalties for violating children's rights; her parents agreed not to marry Stella without her consent.

Stella said: "I am so glad that I attended the awareness raising meetings and I am grateful to the Ward Executive Officer because I could have become a child who suffers when they are married so young."

Stella is admired by her friends and other community members for the courage she displayed and is an inspiration to others. Armed with knowledge of her rights and the impacts of child marriage through KIWOHEDE's activities, she has held on to her childhood and is now training to be a seamstress.