



19 September, 2022

Recommendations to the Draft UNGA Resolution on Child, Early and Forced Marriage (CEFM), September 2022.

Coalition for Peace and Gender Champions in Africa, Girls and Women's Network (GWEN) Zimbabwe, Girls Not Brides-Uganda, Girls & Goals - Zimbabwe, Global Network for Mental Health and Child Marriage, Eugenia Nothemba Gwoba Foundation- South Africa, Institute of Women Social Workers, MTC Educate-A-Girl Foundation; Raising Teenagers Uganda, Rozaria Memorial Trust, SRHR Africa Trust, Uganda, SADC Parliamentary Forum, UCL Centre for Global Non-Communicable Diseases, Unathi Children's Network, Women Space Zimbabwe, Women's Refugee Commission, YWCA Zimbabwe, welcome the proposed resolution on child, early and forced marriage drawing on our collective work on prevention child marriage in stable and humanitarian settings, with support to girls who experience child marriage, through the experience of women and girls in all their diversity, community based, feminist networks and organisations. This is critical in sustaining a clear commitment from member states, UN and all partners, their continued leadership and giving international policy direction for doable actions on this substantive issue pivotal towards achieving Sustainable Development Goal 5 and implementation of previous resolutions .

We therefore make the following observations and recommendations:

1. **Title:** We recommend the title of the resolution to also include ***protection and/or support to children who have experienced marriage***. The current title has a strong focus on prevention and does not reflect the critical urgency of also supporting and protecting the rights of children who have experienced child marriage.

2. ***Coordinated, holistic, multi-sectoral mechanisms or approaches*** are rightly identified. We recommend that such mechanisms should be well resourced, with systematic monitoring of impact and adequate communication capacities for necessary social and systems changes. (PP8 and pa3)
3. ***Role of Gender inequalities and discrimination***. Addressing the role of gender inequalities and discrimination is fundamental in preventing CEFM and one of the reasons why ending harmful practices especially child marriage and female genital mutilation is explicitly included SDG5. Stronger language could be used in PP15 such as in recognition of deep-rooted gender discrimination that underpins child marriage and requires transformation of gendered power relationships and elimination of patriarchal systems that legitimise the discrimination of girls and women. The language on gender inequality is stronger in para 25 but it is brief.
4. ***Age of Marriage and Birth Registration***. Minimum Age of Marriage must be 18 with no exceptions. We strongly recommend that the resolution should continue to request Member States to enact laws with 18 as the age of marriage with no claw back clause either based on culture, religion, legal exception or family approval. The current language of progressive reform in this area is inadequate. The resolution could draw from the African jurisprudence, the Charter on Rights and Welfare of the Child and subsequent policies that categorically prohibit child marriage, with even some member states criminalising the same. The resolution should also call for registration of births and of marriages, without exceptions.
5. ***Education***: This is crucial and we welcome the focus on access to quality, equitable and inclusive education on both in the preamble and operational paragraphs. We also welcome the key messages from the Transforming Education Summit that can be used to strengthen the document. We recommend stronger recognition of the role of education in coordinated responses to child marriage prevention and as a social and economic resource for building the lives of children and especially girls who experienced child marriage. Resourcing education with appropriate guidance and counselling service, making schools safe for children, provision of menstrual health products, supporting families to keep girls in school and reducing the social and other inequalities that limit access and continuation is critical.
6. ***Sexual and Reproductive Health and Rights***: While previous resolutions included references to sexual and reproductive health, it would be critical to strengthen existing language, including by adding the term “rights”. Given the

interruption of services through the Covid-19 pandemic and continued denial and under resourcing of these gender specific needs, it would be important to anchor these life-saving services in the context of girls' human rights. Further there are areas where the resolution could be more explicit, e.g. in the areas of access to health and sexual and reproductive health services. The resolution should recognize lack of access by adolescents to adequate sexual and reproductive health services & commodities - including contraception – and that often subsequent unintended teen pregnancy is a direct cause of school drop-outs and CEFM. Poor SRH outcomes lead directly to CEFM. The failure to recognize this driver leads later in the resolution to a failure to prioritize adolescent access to SRH commodities and services and the removal of barriers, such as age barriers, that prevent this access. We also welcome the reference to evidence-based comprehensive sexuality education (CSE) and would strongly advise to retain this language. Quality CSE is essential to promote health and well-being and in line with recommendations by UN agencies such as UNESCO¹.

7. **Addressing gender discrimination in nationality rights:** There are still 25 countries where nationality laws prevent women from passing their nationality to their children on an equal basis with men. Roughly 50 countries deny women equal rights with men in their ability to acquire, change or retain their nationality, or to confer nationality on non-national spouses. This discrimination results in wide-ranging human rights violations, violates international law - and many of these countries' constitutions - and inhibits sustainable development. Human Rights Council resolution A/HRC/RES/32/7 dated 18 July 2016 entitled “The right to a nationality: women’s equal nationality rights in law and in practice” makes the link between gender discrimination in nationality laws and CEFM. The resolution states that “discrimination against women and girls in nationality laws can have far-reaching consequences for entire families, including lack of documentation, which increases vulnerability to human rights abuses and violations, arbitrary arrest and detention, inability to work and marry legally, lack of freedom of movement, the worst forms of child labour, child, early and forced marriage, denial of property and land ownership, family separation, diminished access to education and healthcare, economic hardship, human trafficking and social and political marginalization,”. We would welcome this link to be made in the CEFM resolution as well for UN Member States to coordinate their efforts.
8. ***Scaling up community innovations and positive work of Traditional Leaders and cultural institutions.*** The Resolution should recognise and call on the investment and documentation of the progressive cultural innovations and efforts

¹ <https://en.unesco.org/news/why-comprehensive-sexuality-education-important>.

of traditional leaders to shift negative social norms and create safe spaces for girls that prioritize their leadership, meaningful participation, and needs. The work in the SADC region and the Council of Traditional Leaders in Africa is instructive and can be replicated across the globe.

9. ***Prioritize significant action to provide mental health care and support for children at risk or those who have experience child, early and forced marriage.*** Considering that child marriage is multiple forms of violation of human rights including rape and sexual exploitation, and its consequences including life threatening and traumatic experiences such as depression and other mental health issues, maternal deaths, attempted suicide, unsafe abortions, obstetric fistula, and persistent gender based violence, it is crucial to ensure that children facing these abuse and experiences receive the necessary mental health and psychosocial support at the expense of member states.
10. ***Invest in and support evidence generation on child, early and forced marriage.*** Evidence is crucial for monitoring progress, for taking remedial actions and addressing emerging issues. Research should also assist in mapping and analyzing the reasons behind high prevalence communities, as well as the lack of progress in some aspects of interventions such as gender and child justice.

In conclusion we call on the member states, the UN and other partners through this resolution to increase targeted resourcing, funding and partnerships with community led interventions especially by women and girls, youth related organizations, that are front line responders and critical to the social change and as well as facilitators of access to comprehensive services.

About

Rozaria Memorial Trust is a registered organisation in Zimbabwe, founded in 2007. It has United Nations ECOSOC Consultative Status. Its mission is to support innovative initiatives in health, education and entrepreneurship for women and young people, particularly girls especially in resource poor communities. It provides technical support to the African Union Goodwill Ambassador on Ending Child Marriage.

Women's Refugee Commission 's vision is a world in which internally displaced and refugee women, children, and youth: are safe, healthy, and self-reliant; have their human rights respected and protected; and inform and drive their solutions and development. WRC's mission is to improve the lives and protect the rights of women, children, and youth displaced by conflict and crisis.

Further information, contact.

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