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MARRIED BY EXCEPTION:
CHILD MARRIAGE POLICIES
IN THE MIDDLE EAST AND NORTH AFRICA



Save the Children

FOREWORD

In 1995, years before the girls whose experiences fill the pages of this study were born, world leaders met in Beijing and committed to a universally agreed plan for delivering gender equality. This document, the Beijing Declaration and Platform for Action was the first international instrument to recognise the specific rights abuses faced by 'the girl child', and her unique potential to drive positive change and promote peace and equality into the future. The 25th anniversary of this historic pledge arrived in 2020 and was supposed to be marked by celebration and the creation of a new, more diverse alliance, dedicated to accelerating progress over the next five years, to deliver gender equality within a generation.

Instead, 2020 will be remembered for a global pandemic, although for many of the girls who spoke to our researchers, the COVID-19 crisis is far from the first devastating disruption to their lives they have survived. Generation Equality was put on hold.

As this report, *Married by Exception* is published, world leaders – from government, to civil society and the private sector – are meeting for the postponed global commitment-making forum. There they will announce a final Generation Equality Acceleration Plan that sets clear tar-

gets – to prevent 9 million child marriages over the next five years, achieve legal change in 55 countries and ensure 9 in 10 countries finance and implement multisectoral programming to address gender-based violence. Critically, the plan also sets targets for increasing girls' leadership in national and international decision-making.

This Forum comes at an historical turning point, with less than a decade to deliver on the Sustainable Development Goals, as we enter the second year of the COVID-19 pandemic and the conflicts and crises girls in Egypt, Lebanon, Iraq, Turkey and other countries in the region are living through wage on. The commitments that champions for gender equality make at this forum will shape the futures of girls like those who have shared their stories for this study.

Equality within a generation is an ambitious goal that will require bold commitments. History has shown that rhetoric is not enough. The leaders of today must step up, stand with girls and act on their demands – to end child marriage, provide better life opportunities and access to justice, and deliver on their rights to safety and education. There can be no exceptions.

Jeremy Stoner, Regional Director for Save the Children in the Middle East and Eastern Europe



EXECUTIVE SUMMARY

Millions of girls around the world live under the threat that child marriage will interrupt their childhoods and alter their futures. This is the everyday reality for girls who live in communities where child marriage is common practice. For girls affected by crisis, including refugee girls, the likelihood they will be married while they are still children is even more acute. While significant progress has been made globally to end child marriage, the impact of the COVID-19 crisis risks undoing decades of momentum and has heightened the risk of child marriage for all girls.

Legal and policy measures that prevent and prohibit child marriage are a key approach to protecting girls from being married before they are ready. To better understand how child marriage laws protect girls affected by crisis in the Middle East and North Africa (MENA) region, Save the Children undertook comprehensive desk research and consulted with adolescent girls and boys and young adults from refugee and local communities in Egypt, Iraq, Lebanon and Turkey. In April 2021, Save the Children spoke to 123 adolescents and young adults (75 of them were girls), through 17 consultation sessions about their knowledge of child marriage laws in their country context, their views on whether these laws help protect girls from child marriage and, if not, what they think needs to change.

Adolescent girls and boys and young men and women across all four focus countries recognised the power of the law to protect girls from child marriage. They saw child marriage laws as an important way to protect girls and help them to assert their rights. They also recognised that child

marriage laws can help to change peoples' views and stop parents from marrying their daughters too soon. In reality, however, most children reported that child marriage laws were likely to have little impact on girls' lives. Across the four countries, adolescents and young adults identified the following five key reasons for why they thought child marriage laws are ineffective:

1. Girls are highly unlikely to know there are laws that can protect them from child marriage.
2. Girls' families, especially refugee families, may also not know about the laws or choose to follow their own marriage customs instead.
3. Girls are highly unlikely to speak up and tell their parents, community members or the courts that they do not want to marry as they fear their parents' reaction and that they may suffer violence.
4. If parents decide a girl should marry, they can find ways to work around the law because the law allows exceptions, the laws are not properly enforced or there are ways to marry girls outside the law.
5. Even if the law gives girls and parents the power to refuse child marriage, they are likely to feel compelled to accept marriage proposals due to economic or social pressures, fears for girls' protection or a perceived lack of alternative options, including education and future employment opportunities for girls.

As part of the study, adolescents and young adults were also asked what would need to change to make child marriage laws more effective in their contexts. Based on their feedback, their recommendations can be summarised as follows:

ADOLESCENTS AND YOUNG ADULTS' RECOMMENDATIONS

Ensure the law protects all children from marriage:

- set at least 18 years as the minimum age of marriage and remove any exceptions to this rule;
- make the registration of all marriages – whether civil, religious or customary – compulsory;
- penalise people who facilitate child marriages, including parents, relatives, adult grooms, religious leaders, community members and officials.

Ensure everyone, including parents, community members, religious leaders, and anyone who should be enforcing the law, knows about the law and respects it:

- promote greater awareness of child marriage laws, why children should be protected from child marriage and what the penalties are for facilitating child marriages.

Ensure everyone is supported to avoid child marriage:

- provide better livelihood opportunities for families, including refugee families;
- protect girls from sexual harassment and provide girls with safe spaces and transportation;
- improve girls' access to a safe, quality education so they stay in school.

Support girls to:

- know their rights, voice their opinions and make their own choices without fear or retribution;
- continue their education by providing girls with access to safe, quality education and supporting parents to keep girls in school;
- change community perceptions of their roles in society by raising awareness and working to change gender norms and expectations;
- seek help if they are already married and support girls who want to divorce or are divorced.

This report will further explore the issues identified by the adolescents and young adults who participated in this study, drawing on the existing literature on child marriage in the MENA region, which echoes the adolescents and young adults' views and identifies similar reasons for why child marriage laws can fail to protect girls from marriage.

While the research and this report draws on the views of both adolescent girls and boys and young men and women, the primary focus of this work is girls, who are disproportionately affected by child marriage. We acknowledge, however, that child marriage is also an issue for boys and a violation of their rights, and further research is needed to better understand the prevalence, causes and impacts of child marriage for boys.

METHODOLOGY

The main purpose of this research was to explore the impact and effectiveness of child marriage laws, if in existence, on refugee or displaced girls in Lebanon, Egypt, Iraq and Turkey. The research undertaken included a comprehensive desk review and field research across the four focus countries. The comprehensive desk review looked for research and analysis on the prevalence of child marriage laws and policies in the four focus countries and, if these laws existed, how they worked in practice in each context, particularly in relation to refugee or displaced girls. This included a focus on whether child marriage laws were effective and what the key loopholes or gaps were in each country. The review also looked for research and analysis on the root causes and key drivers of child marriage in relation to refugee and displaced girls, and studies undertaken with refugee or displaced girls with a focus on child marriage or child marriage laws in the four focus countries. As reflected throughout this report and its references, in general a rich albeit limited body of literature was found across the four focus countries. It is important to acknowledge, however, that the majority of studies found and cited came from Lebanon and were with Syrian refugee girls. There were very limited studies with refugee girls in Egypt, Iraq and Turkey, or displaced girls in Iraq. The extent to which any of these studies looked specifically at child marriage laws and/or their impact on refugee or displaced girls was also very limited. The desk review was widened to look for studies relating to host community girls and child marriage laws with the intention of extrapolating findings to refugee girls within the same context, but these types of studies were also very limited.

To strengthen the desk review and bridge some of the data gaps noted above, field research was undertaken with refugee and local community adolescents and young adults in the four focus countries. This was done through focus group discussions to collect qualitative insights from adolescents and young adults on key topics including:

the prevalence of child marriage in their contexts, what factors influence child marriage decisions in their communities, their and their families and communities' knowledge of child marriage laws, whether child marriage laws have any impact and, if not, why not; and, what changes they think are needed to improve the law relating to child marriage. We also asked them about how COVID-19 may have affected child marriage practices in their communities and whether key effects (like distance learning) have had an impact. As detailed further in the table below, gender disaggregated focus group discussions were undertaken with adolescent girls and boys and young men and women (in separate groups) aged 13-22, from Save the Children programmes. The target groups included Syrian refugee adolescent girls and boys and young men and women living in Lebanon, Egypt and Turkey, and local girls and boys from the host countries. In the case of Turkey, Afghan refugee girls and boys were also engaged. Each country office determined which target groups to involve based on their country context. The number of participants in each group varied, with as little as 3 and up to 11 participants as a maximum.

Considering the sensitivities of the topic, a story-based data collection tool was used in the focus group discussions. The storyline was based on a vignette of an adolescent refugee girl, called Jana, whose father had received an offer of marriage. After hearing the story, adolescents and young adults were asked to provide their insights on the scenario, with follow-up questions asked by the facilitators to elicit more in-depth perspectives. Facilitators were Save the Children staff members, experienced in safe and meaningful facilitation techniques with this specific age group. This approach was based on the methodology used in a recent study conducted by Terre des Hommes on child marriage with refugee girls in Jordan and Lebanon¹ with adjustments made based on the desk review findings and the focus of this study.

Country	Number of consultations	Number of participants	Number of girl participants	Target groups
Lebanon	6	44	29	Girls and boys aged 13-17, from Syrian refugee and Lebanese communities.
Egypt	4	31	14	Girls, boys and young adults aged 16-20, from Syrian refugee and Egyptian communities.
Iraq	4	32	19	Girls, boys and young adults aged 15-20 from host communities in Iraq.
Turkey	3	16	13	Girls from Afghan and Syrian refugee communities, aged 13-17, and a small group (3) of young Syrian men, aged 18-22.
Total	17	123	75	



This study consulted with a small number of adolescents and young adults, which has been considered in the limitations of the study. The main limitation includes the fact that it was not possible to target other members of the communities engaged, including caregivers, schools and community leaders. Furthermore, due to COVID-19 restrictions, the focus group discussions were carried out in an online format, which created additional limitations, both in terms of participation from the adolescents' side, as well as in terms of deep-dive follow-ups by facilitators. This impacted on the

depth of the data collected, compared to what is expected in the case of face-to-face consultations. These and other limitations were considered from the onset of the study. In future, for more in-depth field level data collection, it is recommended to have separate consultations with different groups of adolescents to better disaggregate the data as and when needed (for example, different age groups, status and nationality), as well as undertake focus group discussions and key informant interviews with other members of the community.

OVERVIEW

CHILD MARRIAGE IN THE MENA REGION

There are an estimated 650 million married girls or women who married in childhood around the world. The highest prevalence of child marriage is in the Sub-Saharan Africa region, followed by South Asia and then Latin America and the Caribbean. Child marriage prevalence in the MENA region is near the global average, and higher than in regions such as East Asia and the Pacific or Eastern Europe and Central Asia.²

It is estimated that the MENA region is home to nearly 40 million married girls or women who married in childhood. Around 1 in 5 young women were married before the age of 18 and 1 in 25

before the age of 15. There is a wide variation in prevalence between different countries in the region, however, with high child marriage rates in countries like Yemen (32%), Iraq (24%) and Egypt (17%).³

While child marriage rates in the MENA region have declined considerably over the past 25 years, progress has stalled in the past 10 years,⁴ likely due to instability in the region.⁵ It is anticipated that COVID-19 will backtrack global momentum on reducing child marriage considerably with UNICEF predicting 10 million more girls are at risk of marriage by 2030 in addition to the pre-COVID projection of 100 million.⁶

Defining child marriage

Child marriage includes any legal or customary union involving a boy or girl below the age of 18. This definition is based on Article 1 of the Convention on the Rights of the Child (CRC), which defines a child as any human being below the age of 18 years. The Universal Declaration of Human Rights provides that men and women of “full age” have the right to marry (Article 16.1) and that marriage shall be entered into only with the “...free and full consent of the intending spouses” (Article 16.2). The Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) further provides that 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 and to make the registration of marriages in an official registry compulsory (Article 16.2).⁷

For refugee girls in the MENA region, the evidence suggests that displacement has increased the practice of child marriage in refugee populations,⁸ refugee girls experience higher child marriage rates than host community girls and these rates are consistently on the increase. Prior to the conflict in Syria, the average child marriage rate for girls living in Syria was 13 percent;⁹ however, child marriage rates among Syrian refugees has increased significantly in host countries. In Jordan, child marriage among Syrian refugee populations reportedly rose from 18 per cent in 2012 to 32 percent in the first quarter of 2014.¹⁰ Similarly,

a national household survey undertaken in Lebanon in 2016 found that child marriage rates reached 40% in Syrian refugee communities compared to 6% in Lebanese host communities.¹¹ In 2018, almost 50% of married Syrian refugee women aged 20-24 had married before the age of 18 compared with almost 15% of married Turkish women in the same age group.¹²

Data on child marriage in the MENA region is limited, particularly relating to girls affected by crisis and displacement. The data that is available on child marriage by country or target group in the MENA region is often variable, may not be recent or robust, fails to disaggregate between different groups of girls and their particular circumstances, or is rarely longitudinal so that the impact of context, particularly protracted displacement, on child marriage cannot be accurately assessed. At the same time, a significant body of empirical evidence has been generated in recent years, especially through studies on child marriage in Syrian refugee populations.¹³ These studies have made a significant contribution to the evidence base but they have mainly focussed on Lebanon and Jordan, with only a few studies undertaken in other MENA countries, including Egypt, Iraq and Turkey. Further research in all MENA countries and across a diverse range of populations and contexts is still required. We provide a summary of areas for further research at the end of this report.

In general, research suggests that whether countries are stable or fragile, the root causes of child marriage include gender inequality and social norms, and key drivers of child marriage include poverty, barriers to education and protection risks. These root causes and drivers are rarely experienced in isolation. Instead, a complex com-

bination of structural and community level factors influence and shape families' child marriage decisions and several root causes and drivers are often at work at the same time.¹⁴ In the MENA region, social norms and traditions, as well as religion, can strongly influence the prevalence of child marriage. Social norms, particularly around gender and notions of honour and shame and the role of girls, are key factors that can contribute to girls being married before they are ready.

The research also suggests that child marriage is not associated with a particular religion and is not generally considered a universal 'religious practice'. Within the major religions there are some religious teachings, laws and practices, which allow or support child marriage, especially if it is customary within a community.¹⁵ At the same time, a range of interpretations and attitudes towards child marriage are also present within these religions, with different religious leaders holding to different interpretations.¹⁶ So, while religion has a significant influence on child marriage, the literature suggests it is primarily a customary practice and there is significant scope to work with religious leaders to change child marriage customs through the promotion of moderate religious interpretations of child marriage that protect children and their rights.



NEGATIVE IMPACTS OF CHILD MARRIAGE

Girls who marry as children face a range of significant consequences, particularly in relation to their health and education outcomes.

Child marriage denies girls' choice and autonomy. Child marriage is a serious violation of girls' and women's human rights as it prevents girls and women from deciding if and when they will marry and have children. Girls who marry are also likely to have less agency within their marriage when it comes to household decision-making, sexual relations and family planning, and it is more likely their movements will be restricted.¹⁷ Child marriage also restricts girls' and women's life choices and potential, as it impacts on their development rights, including rights to health and education, and puts them at greater risk of poverty.¹⁸

Child marriage significantly impacts on girls' health. Child marriage often leads to early pregnancies, with young girls expected to prove their fertility soon after getting married. However, this is likely to put girls and their babies at high risk. Complications from pregnancy and childbirth are a leading cause of death among girls aged 15–19 years in low- and middle-income countries. Stillbirths and newborn deaths are 50% higher among infants of adolescent mothers than among infants of women aged 20–29 years. Infants of adolescent mothers are also more likely to have low birth weight, which can have a long-term impact on their health and development.¹⁹ Early marriage is also associated with poor sexual and reproductive health. Girls who marry as children are often unable to negotiate safe sex with their husband, making them more susceptible to sexually transmitted infections and putting them at higher risk of adolescent pregnancy.²⁰

Child marriage increases girls' risk of experiencing violence. Girls who marry young are more likely to experience physical, sexual, economic or psychological violence. Girls who marry before the age of 15 are almost 50% more likely to experience intimate partner violence (IPV) than those married after 18.²¹ This is because child marriages are characterized by spousal age gaps, power imbalances, social isolation and lack of female autonomy, which are key risk factors for IPV.²²

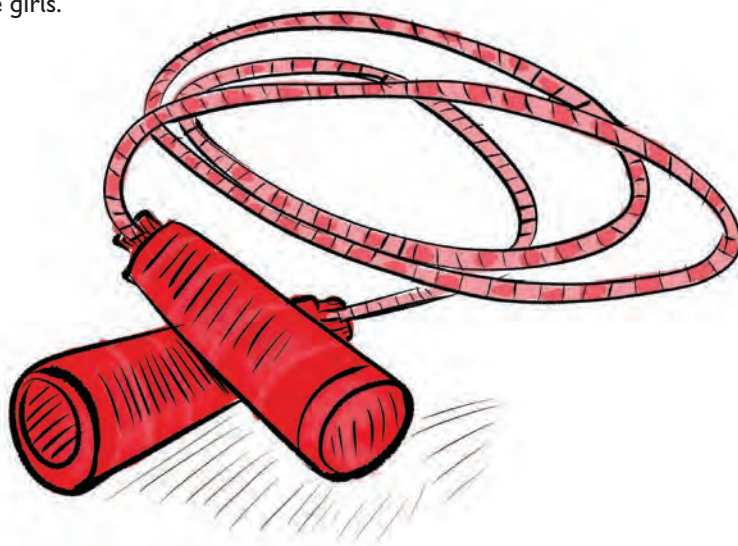
Child marriage interrupts girls' education. Many girls are forced to leave school to marry and are highly unlikely to ever return, and girls who are already out of school are much more likely to be married as a child than those who stay in education. The level of education girls achieve is a fundamental predictor of their later development and achievement as well as their children's.²³ Lack of education also effects the level of agency girls are likely to enjoy; whereas girls who achieve higher levels of education are likely to have greater decision-making agency, including sexual autonomy, and experience less movement restrictions.²⁴

Child marriage impacts girls' mental wellbeing. Girls who marry as children are at increased risk for depression and suicidal ideation. This is likely to be linked to being forced into marriage, their exposure to additional forms of gender-based violence, lack of agency, poverty and burden of marriage responsibilities.²⁵ Divorce, and the associated community stigma and marginalisation experienced by girls in many contexts, including by their own families, is also likely to affect their mental wellbeing.

IMPACT OF DISPLACEMENT ON CHILD MARRIAGE

For families affected by crisis, particularly refugee families, the evidence suggests that while the common root causes of child marriage, such as customary practices and gender norms, still strongly influence child marriage decisions, displacement exacerbates key child marriage drivers. For example, poverty increases the likelihood that parents will marry their daughters early. In these circumstances, child marriage is primarily used as a negative coping mechanism to address poverty and concerns for girls' protection in new and unfamiliar contexts.²⁶ In one study, refugee parents reported that displacement and the uncertainty this brings to their family's and daughters' futures has changed their expectations of marriage.²⁷ While refugee parents reported they appreciated the negative impacts of child marriage, they felt pushed to use it as a mechanism for coping with their external environment, particularly as a means to address the economic pressures they face and heightened protection concerns for girls in host communities. In another study, the lack of quality and safe education opportunities in displacement settings was also a key factor for marrying girls.²⁸ These reflections on how displacement affects child marriage decision-making are supported by what the adolescents and young adults reported in the research for this report, as well as further evidence from the literature. As outlined further below, economic hardship, protection concerns, and lack of access to education are also reported to be persistent drivers of child marriage for refugee girls.

Refugee girls also recognise the role that displacement plays in increasing their vulnerability to child marriage. In one study, refugee girls originally from urban areas in Syria (where child marriage was not a common practice) reported experiencing the greatest change in marriage expectations since their displacement. Before leaving Syria, they were in school or university, whereas in Lebanon they had limited educational and livelihood opportunities, lived more restricted lives and reported child marriage as being reintroduced as a way to provide a more secure future for girls.²⁹ In another study, refugee girls in Lebanon reported that they were subjected to child marriage at a higher level than in Syria because of their parents' protection fears and financial constraints.³⁰ Syrian refugee girls in Turkey similarly reported how displacement led to changes in their social trajectories, including discontinuation of schooling, entry into the workforce and child marriage, and how they were exposed to new risks of violence, the most pervasive being verbal, sexual and physical street harassment when they were outside their homes but also different forms of violence at home, including physical violence by family members. Caregivers acknowledged there was also a higher risk of intimate partner violence in child marriages and, in general, intimate partner violence was more likely to be condoned in the context of displacement due to changes in family circumstances.³¹

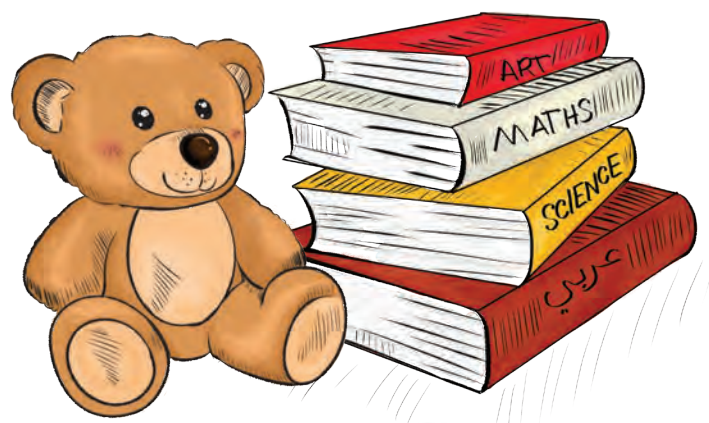


Displacement can also disrupt traditional marriage practices. Syrian refugees in Lebanon reported that child marriages are happening quicker out of financial urgency³² or because girls are out of school (whereas waiting for a girl to finish her education was sometimes a marriage condition in Syria). Child marriages were also more likely to happen due to lower expectations around marriage costs or dowry and wedding presents or because refugee camps provided the necessities for marriage (such as caravans) and so grooms were able to marry more easily rather than work to save up and acquire these things first.³³ Syrian refugee families in Jordan and Lebanon were also reportedly less likely to thoroughly vet their daughters' prospective husbands, instead focussing primarily on the groom's ability to provide short-term financial security.³⁴ These changes in traditional marriage practices due to displacement were found to increase protection and health risks for girls and likelihood of divorce.³⁵ As the COVID-19 pandemic and ongoing economic crises in the region, including in Lebanon and Iraq, are adding to these pressures, girls are at continued risk of child marriage across the region. While displacement may hasten marriage for many refugee girls, there is some limited research that suggests displacement may postpone it for others. In a recent study on child marriage and Syrian refugees in Egypt, it was found that displacement was both a driver and a moderator of child marriage.³⁶ For some refugee families, their protracted presence in urban host communities in Egypt may have facilitated the erosion of social rules and expect-

tations that favoured child marriage, and instead fostered a greater tolerance for girls continuing their education or undertaking employment in the future. Changes in family structure, particularly the separation from older family members, combined with the unavailability of suitable grooms, may have also disrupted traditions that previously perpetuated child marriage and led to marriage postponement for some girls.³⁷

While the data is limited, girls who marry before 18 are also reported to divorce more frequently.³⁸ This trend was picked up by the adolescents and young adults in this study with the majority reporting that they thought if a girl was married before 18, her marriage would be short and end in divorce. Divorced girls face their own distinct risks. They may be stigmatised and marginalised by their communities and, depending on the legal status of their marriage and what divorce laws apply, girls may have limited legal rights after divorce³⁹ and they and their children may be at greater risk of poverty.⁴⁰

Ultimately, however, how displacement influences child marriage is still relatively underexplored. What drives child marriage decisions in displacement contexts appears to be multi-faceted and varied and likely to be highly contextual and change over time. More research is needed in multiple contexts with different refugee populations to better understand these drivers and how they intersect and influence the child marriage situation for refugee girls.⁴¹



CHILD MARRIAGE LAWS

Model child marriage laws and best practice guidance

The Southern African Development Community Model Law on Eradicating Child Marriage and Protecting Children Already in Marriage (the SADC Model Law) was developed to assist Southern African member states to develop robust and uniform laws relating to the prohibition and prevention of child marriage. The SADC Model Law also provides a useful framework for other countries to assist their development of effective national laws to end child marriage.⁴²

The UNFPA-UNICEF Global Programme to End Child Marriage has also developed a technical note on child marriage laws to compliment the SADC Model Law and support a better understanding and more nuanced approaches to child marriage and the law.⁴³

An important step towards protecting girls from child marriage is to make the practice illegal. As is noted in 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 on harmful practices,⁴⁴ signatory countries to the two relevant conventions are obligated to introduce laws and policies that set the minimum age of marriage at 18 years and require compulsory, accessible birth and marriage registration.⁴⁵ In designing best practice child marriage laws, it is also recommended that countries do not allow any legal exceptions, such as parental or judicial consent, which would enable children to marry at an earlier age.⁴⁶

While more research is needed to establish a causal link between best practice child marriage laws and their impact on child marriage rates,

there is a growing body of research that suggests there is a positive association in countries where child marriage laws are consistently applied by both state and religious authorities⁴⁷ and in countries where a decline in adolescent fertility rates was also recorded.⁴⁸

At the same time, while many countries have introduced laws to protect girls from child marriage, and in some cases these laws appear to have an impact on child marriage rates, in many countries these laws have proven to be ineffective in combatting the issue. Research by Save the Children and the World Bank found that many girls still marry illegally in countries where child marriage laws are in force. In 2017, an estimated 7.5 million girls – or more than 20,000 girls a day – married illegally in countries where child marriage is outlawed.⁴⁹

WHAT MAKES CHILD MARRIAGE LAWS INEFFECTIVE?

There are several reasons why child marriage laws may fail to make an impact. While many countries may legislate against child marriage, these laws will be less effective if:

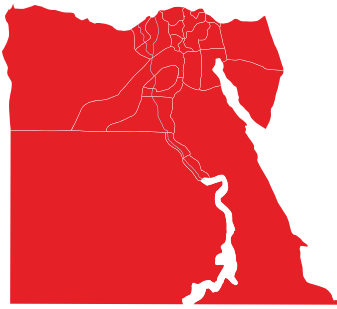
- girls can still be married before 18 if their parents or judicial bodies give their consent;
- laws provide inadequate legal sanctions for those involved in child marriage or there is weak enforcement;
- girls can still be married according to customary or religious laws, which often decree the minimum age for marriage lower than national laws.

CHILD MARRIAGE LAWS AND POLICIES IN FOCUS COUNTRIES

PREVALENCE OF CHILD MARRIAGE LAWS			
COUNTRY	Minimum marriage age is 18/no exceptions	Minimum marriage age is 18/exceptions allowed	No minimum age for marriage specified in law
Egypt	✗	✗	✓
Iraq	✗	✓	✗
Lebanon	✗	✗	✓
Turkey	✗	✓	✗

As detailed further below, three of the four countries for this research – Egypt, Iraq and Turkey – have some form of civil law regulating child marriage, while Lebanon has no civil law regulating child marriage. All countries, except Lebanon, also have some form of national strategy or action plan to address child marriage but their implementation status is unclear.

As shown in the table below, despite the presence of some form of child marriage law in Egypt, Iraq and Turkey, child marriage rates remain high, particularly among refugee populations. Refugee child marriage rates in Lebanon are equally concerning. As described below, each country has a range of legal loopholes that impact on the effectiveness of their child marriage laws. Other laws or practices of concern relating to women and girls' protection or gender equality are also noted.⁵⁰



Egypt

While Egyptian law prohibits the registration of marriages where one party is less than 18 years of age, there is no minimum age of marriage specified in law.⁵¹ Child marriage is not criminalized under Egyptian law although there are reports that the Egyptian Government is considering changing the law to penalise fathers, male guardians and officials who facilitate child marriage.⁵² Religious marriages do not require civil registration, although religious marriages are often registered once girls turn 18 and it appears this occurs without sanction.⁵³

In 2014, Egypt also launched a National Strategy on the Prevention of Child Marriage with the aim to reduce child marriage by 50% in five years; however, progress on implementing the strategy reportedly slowed due to recent political and economic instability.⁵⁴ Egypt has also established a National Council for Childhood and Motherhood and National Council for Women, which are both active in campaigning on women's and children's rights and protection, including child marriage.

Exploitative child marriages are a concern in Egypt, particularly 'summer' or 'tourist' marriages, where girls are married for short periods of time to foreign men who travel to Egypt for this purpose.⁵⁵ Female Genital Mutilation (FGM) is also a significant issue in Egypt and it is linked to child marriage. While FGM is illegal in Egypt, it still occurs at a high rate (92% of women and girls aged 15-49 have undergone some form of FGM)⁵⁶ and many girls must undergo it before they can marry. While further research is needed, it appears that FGM is not an issue linked with the child marriages of Syrian refugee girls in Egypt.⁵⁷



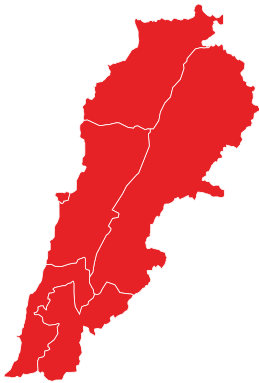
Iraq

Iraqi law sets the minimum age of marriage at 18 but allows exceptions: children can be married at 15 years with the parental or judicial consent in Iraq⁵⁸ and 16 years in the Kurdistan Region of Iraq (KR-I).⁵⁹ Religious marriages are not permitted outside civil or religious courts but these types of marriages still happen regularly and can be formalized on the payment of a small fine.⁶⁰

Iraq's constitution leaves room however for marriage laws to be determined according to religion (Article 41). In 2014, a law was put forward for the Shia community that proposed to lower the age of marriage for girls to nine years (known as the Ja'fari law).⁶¹ International and national organisations considered this proposed law a violation of human rights and child rights and it was not passed. However, it indicates a high level of tolerance of child marriages involving very young girls. Other laws of concern are that rapists can still escape punishment if they marry their victim (both in Iraq and KR-I) and perpetrators of honour killings can receive reduced sentences (Iraq only).⁶²

In the KR-I, a Plan for Decreasing Child Marriage was developed by the High Council of Women Affairs with support from UNFPA, which focussed on influencing behaviour change in families through a series of public communication strategies.⁶³ However, implementation remains a challenge and the plan is outdated, originally developed as a three year strategy running from 2016-18.

Exploitative marriages, particularly temporary or 'pleasure' marriages where young girls are married to older men for short periods of time, are also reportedly an issue in Iraq.⁶⁴



Lebanon

Lebanon does not have a minimum age of marriage law. Instead, marriage is regulated by 15 personal status laws for the country's 18 recognized religious communities, including Christian, Muslim, Druze, and Jewish, which are administered by their respective religious courts. The minimum age of marriage varies among religious denominations but all religious groups allow girls under the age of 18 to marry.⁶⁵ Although, reportedly Lebanon's Sunni Muslim religious authority has recently raised its minimum age for marriage to 18, this still includes the possibility for marriage from the age of 15 if approval is granted from a religious judge.⁶⁶

Moreover, risks still remain in this scenario that child marriages will take place but without being registered, further exposing children to risks including limiting their rights under any union that takes place. All marriages need to be legally registered in Lebanon through authorised processes set out by the religious courts, however, it is common for marriages to be undertaken by unregistered sheikhs in the community who are not legally authorised to do so.⁶⁷

Lebanon has no approved national plan to prevent child marriage. However, since May 2015, there has been a consensus that a national strategy to address child marriage needs to be developed under the leadership of the High Council for Childhood.

Other laws of concern in Lebanon include that prosecutions for statutory rape are stopped if a perpetrator marries their victim.

Lebanese civil society has been pushing for a law to ban child marriage and put forward various bills over the years. Most notably, the National Commission for Lebanese Women and the Lebanese Women's Democratic Gathering recently drafted legislation to increase the age of marriage amongst all religious groups.⁶⁸



Turkey

Turkish law sets the minimum age for marriage at 18 but allows exceptions: children who are 17 years old can marry with parental consent and children who are 16 years old can marry with court authorisation in "exceptional circumstances",

which are not defined and so what is considered exceptional is at the judge's discretion.⁶⁹ Child marriage is not criminalized under Turkish law and so there are no sanctions for people who facilitate it.

Until recently, religious marriages without civil marriage were also banned; however, Turkey's Constitutional Court struck down this law as unconstitutional in 2015 and religious marriages can now occur without proof of civil marriage documentation.⁷⁰ Governmental officials and human rights groups criticised the decision, saying it would lead to an increase in child marriage. In 2017, Muslim clerics were also given powers to conduct civil marriages, raising further concerns as clerics may be more likely to turn a blind eye to child marriage than civil authorities.⁷¹

A law pardoning men convicted of statutory rape if they marry their victims was put forward in 2016 and again in 2020. While it appears that the law will not proceed due to widespread opposition, the fact that this type of law has been brought forward for consideration twice in recent years is concerning.

Turkey has developed a National Action Plan and Strategy Document on Combating Early and Forced Marriages 2018- 2023 as well as provincial-level action plans.⁷²

CHILD MARRIAGE PREVALENCE RATES IN FOCUS COUNTRIES

Egypt	<p>Host community: in 2017, 4% of girls aged between 15 and 17 and 11% of girls and young women aged between 15 and 19 reported being married with rural girls three times more likely to marry under 18 than girls from urban areas.⁷⁴</p> <p>Refugees: No data found</p>
Iraq	<p>Host community: In 2018, 7.2% of girls aged 20-24 years were married before the age of 15 and 28% before the age of 18. There was no significant difference in rates between girls from rural or urban areas but girls with less education and from poorer families were more likely to marry.⁷⁵</p> <p>Refugees/IDPs: no national data available. A study of Syrian refugees, IDPs, and host communities in Dohuk, Erbil and Sulaimaniyah governorates found the prevalence of child marriage was highest amongst IDPs compared to refugees and host populations. About one in eight internally displaced girls aged 10-19 were currently married. Only roughly one in ten host community and Syrian refugee girls of the same age were married. For internally displaced women aged 20-24, 12.9 percent were married before 18. Again, Syrian refugees and the surrounding communities demonstrated smaller prevalence rates, at 3.5 and 4 percent, respectively. The difference in rates between age cohorts suggests a potential increase in child marriage rates amongst refugees.⁷⁶</p>
Lebanon	<p>Host community: in 2016, 6 per cent of Lebanese girls and women aged 20 to 24 years were married before the age of 18</p> <p>Refugees: in 2016, 40.5 per cent of married Syrian refugee women aged 20 to 24 years were married before the age of 18; 12 per cent of Palestinian refugees from Lebanon; and 25 per cent of Palestinian refugees from Syria.⁷⁷</p>
Turkey	<p>Host community: In 2018, among married Turkish women aged 20-24, the prevalence of marriage before age 18 was 14.7%, and the prevalence of marriage before age 15 was 2.0%.</p> <p>Refugees: in 2018, among married Syrian refugee women aged 20-24, the prevalence of marriage before age 18 was 44.8% and the proportion of marriage before age 15 was 9.2%.⁷⁸</p>

WHAT CHILDREN TOLD US ABOUT CHILD MARRIAGE LAWS IN EGYPT, IRAQ, LEBANON AND TURKEY

THE LAW SHOULD HAVE THE POWER TO PROTECT GIRLS FROM MARRIAGE, BUT IN REALITY IT DOES NOT

Adolescents and young adults in all four focus countries recognised the power of the law to protect girls from child marriage. They saw child marriage laws as an important way to protect girls and help them to assert their rights. They also recognised that child marriage laws can help to change peoples' views and stop parents from marrying their daughters too soon. In reality, however, most adolescents and young adults reported that child marriage laws were likely to have little impact on girls' lives. This is because:

6. Girls are highly unlikely to know there are laws that can protect them from child marriage.
7. Girls' families, especially refugee families, may also not know about the laws or choose to follow their own marriage customs instead.
8. Girls are highly unlikely to speak up and tell their parents, community members or the courts that they do not want to marry as they fear their parents' reaction and that they may suffer violence.
9. If parents decide a girl should marry, they can find ways to work around the law because the law allows exceptions, the laws are not properly enforced or there are ways to marry girls outside the law.

10. Even if the law gives girls and parents the power to refuse child marriage, they are likely to feel compelled to accept marriage proposals due to economic or cultural pressures, fears for girls' protection or a perceived lack of alternative options, including education and future employment opportunities for girls.

As further detailed below, the key issues identified by the adolescents and young adults echo what the literature says are the key factors that can dilute the protective promise of child marriage laws and render them ineffective.

Lack of awareness of the law

The majority of adolescents and young adults across all four countries thought most children would not know about child marriage laws. Most adolescents and young adults assumed that parents and other adults in their communities, including religious leaders, know about the laws but ignore them and follow their own traditions. Some refugee adolescents noted that refugee families were less likely to know about host country laws and so also followed their own traditions, especially if they held firm in their belief they would return to Syria one day.



When it comes to marriage registration, there is also evidence that refugee families may not register marriages due to a lack of awareness about the marriage registrations process in host countries or other barriers. For example, refugees in Lebanon reported lack of information, financial difficulties, lack of valid legal stay and lack of identity documents as key reasons for not completing the marriage registration process in Lebanon, which is also lengthy and complicated.⁷⁹ Lack of marriage registration can have serious consequences for refugees, however, including inability to access services, register births and it may also complicate return and resettlement processes.⁸⁰ Girls and their children are also more vulnerable if their marriages are unregistered and they divorce.⁸¹

Most adolescents and young adults reported that for child marriage laws to have an impact, greater awareness raising of the law, as well as the negative impacts of child marriage, is needed across the community – with girls, boys, parents and all community members, including religious leaders.

“...is the girl who is being asked to marry fully aware of the thing that will happen to her and what she will face? Does she know how her future will be and the future of her children if she gave birth? I want to hold lectures for girls in schools, such as those of Save the Children, which talk about the future of girls if they get married at this age.” (young Syrian refugee woman, aged 18-20 years, Egypt)

As discussed further below, most adolescents and young adults in this study also felt that for awareness raising to be effective it would need to go hand in hand with providing families with better livelihood opportunities and improving girls’ protection, access to education and access to skills building and income generating opportunities.

Barriers to girls’ voice and agency

When asked how girls would feel on finding out their parents were considering marrying them, the majority of adolescents and young adults reported that girls would feel shocked, sad and fearful. Most girls would not want to marry while still children, leave school and their families, or feel ready to take on the responsibilities of marriage and children.

“I had the same experience when I was 14 years old. Someone came to my family asking for marriage but my family did not accept his marriage proposal. But I was thinking they might accept it. And this thought affected me, my studying and my plans. It also affected my relationship with my family and even with my friends, I became depressed because I did not want to marry this man and the marriage idea.” (young Syrian refugee woman, aged 18-20, Egypt)

However, most adolescents and young adults reported that while girls might feel this way they were unlikely to strongly voice these opinions and refuse marriage due to a number of barriers to using their voice and agency. Some of these barriers identified by adolescents and young adults included that: girls would let their parents decide what is in their best interests; others reported that girls would feel compelled to marry as it was their ‘fate’ and it was socially expected or marrying would improve her and her family’s financial situation; some adolescents and young adults reported that girls would not refuse their parents’ wishes out of fear of what might happen to them. One host community boy from Iraq noted, “Her family might force her to say yes because sometimes parents kill their daughter if she refuses to marry.” (boy, aged 13-15, Iraq)

Significantly, while a minority view in the study,

Syrian refugee girls in Egypt and Turkey were more convinced that girls would voice their opinion if they did not want to marry, they would have a greater choice in the matter and that parents would leave it to girls to decide, especially if they were younger and still in school. This may be because some of these girls have participated in Save the Children adolescent development programmes in Egypt and Turkey. Another study with Syrian refugee girls in Egypt made a similar observation – that girls interviewed were well-versed in rights-based language and assertive about their plans for their future, confirming that they were intent on pursuing an education and delaying marriage.⁸² The reasons suggested for this positive response included the moderating influence of host community views on girls' education and skills building and income generating opportunities, and the inclusion of livelihood and economic empowerment components in humanitarian programming.⁸³

Syrian refugee girls and young women in Egypt who participated in the field research for this report also noted, however, that parents would still

clearly state their position and what they thought was best for the girl and try to influence her opinion if they wanted her to marry. While the parents might let the girl decide, some girls noted that this is so she would not complain later that she was forced to marry or missed a good opportunity.

“The first time I got engaged, I was 16 years old, and my parents asked me to take the decision to agree or refuse, so that I would not say that they forced me to get married at a young age or they wasted a good opportunity for me.” (young Syrian refugee woman, aged 18-20 years, Egypt)

Some girls also reported that it is more likely that older girls or young women would be forced to marry compared to younger girls. This observation is also reflected in the literature, which suggests that age can be another key driver of child marriage as there is significant cultural and societal pressures for girls to not wait too long to marry and unmarried older girls experience stigma as a consequence.⁸⁴



FARAH* IN LEBANON HAS DISCOVERED HER CONFIDENCE AND PASSION FOR ADVOCATING TO END CHILD MARRIAGE



Children take part in activities as part of Save the Children Lebanon's Adolescents Programme

Since 2019, Farah* has participated in Save the Children Lebanon's Adolescents Programme, sponsored by the Swedish International Development Cooperation Agency (SIDA), which aims to have a positive impact on adolescents' learning, development, and protection. Farah attended life skills and child protection classes, and received case management support, including mental health and psychosocial support, after the death of her father due to the Beirut blast. Farah believes that on rediscovering her confidence and strength through the programme she can achieve her dreams and make her father proud. She says: "One of the main lessons to me is learning how to process negative thoughts, and apply them in a positive manner. With what we've been learning, I realised I'm passionate about advocating on child rights and ending child marriage. I wish to help as much as I can and to help put an end to that cycle of child abuse in my community."



As discussed further below, while external factors such as poverty, lack of access to education and protection risks do increase the likelihood that girls will be married, as suggested by the feedback of adolescents and young adults above, prevailing gender norms that influence parents' perceptions of girls' potential and agency also significantly affect child marriage decisions. Adolescents and young adults also recognised that the options for girls were limited and marriage was their likely outcome, especially if they are out of school or their parents have heightened fears for their protection.

To combat child marriage, greater attention needs to be paid to developing the agency of adolescent girls and young women to make decisions and have a voice when it comes to issues that impact their personal lives, education, and their broader environment. It is important to empower adolescent girls and young women to know about and exercise their rights, including to continue their education and access employment opportunities, and make decisions about their own bodies, including delaying marriage and pregnancy. At the same time, it is equally important to remember that until parents, relatives and wider communities share the same views on the rights and potential of girls, and these new norms are put into practice, then girls remain at risk of child marriage. Therefore, fostering a family and community environment, where the opinions and views of adolescent girls and young women are listened to and respected and their potential is also recognised and valued is crucial. The evidence also suggests that these approaches should be prioritised as investing in girls' empowerment and potential (particularly education and skills building and income generating opportunities) were found to be the most effective ways of reducing child marriage.⁸⁵

Legal loopholes

As identified by the adolescents and young adults who participated in this study, child marriage laws may set a minimum age of 18 for marriage but then allow girls to marry at younger ages with parental or judicial consent. This practice is common - in a study of 191 countries with child marriage laws, it was found that after exceptions were considered, including parental and judicial consent, only 16 countries imposed an outright ban on the marriage of girls below 18.⁸⁶ The laws in just over half of these countries allow girls to marry under 18 with parental consent, including 53% of countries in the Middle East and North Africa region.⁸⁷ Out of the four focus countries for this study, both Iraq and Turkey allow children to marry at younger ages with parental or judicial consent.

These types of exceptions create loopholes that undermine the protective capacity of child marriage laws and instead perpetuate and continue to normalize the practice. Adolescents and young adults in Iraq and Turkey recognized the anomalies these legal loopholes create in their contexts. They agreed that minimum age of 18 laws are important as they can protect girls from child marriage but allowing exceptions weakened child marriage laws, with one boy noting, "This law is useless for girls because it allows girls to marry when they are young." (Host community boy, aged 13-15, Iraq). As noted above, adolescents and young adults also recognised that girls were very unlikely to speak up in court against their parents and say they do not consent to be married, which is another reason to ensure the law protects girls against marriage until they are aged 18 and over.

Adolescents and young adults in all four focus countries called for the law to prevent marriage before 18 years of age and eliminate any exceptions. As an Iraqi girl stated, "It is highly important for Jana and all girls in the same situation to get their rights in life." (Host community girl, aged 15-17 years, Iraq). The majority of adolescents and young adults also said that the age most girls would want to marry is between 20-25 years.

Weak enforcement

Adolescents and young adults in all four focus countries also reported that child marriage laws are unlikely to protect girls or be useful for girls because they are rarely enforced. Very few adolescents and young adults knew of an instance in their communities where the law was used to protect a girl from marriage or when penalties were enforced on those who forced her to marry. When asked what would make child marriage laws better, the majority of adolescents and young adults called for the laws to be stricter and advocated for better enforcement and stronger penalties against families, religious leaders and officials who allowed child marriages, including fines and jail.

As identified by the adolescents and young adults, the effectiveness of child marriage laws is closely linked to whether a country's law criminalizes the practice, imposes penalties on people who facilitate child marriage and is properly enforced. To change public attitudes and create accountability, all individuals involved in facilitating child marriage should be held accountable for their role, including parents and guardians, family members, grooms, religious or tribal leaders and those who performed the weddings or certified the marriages. The law should also provide for different levels of punishment for different types of involvement and aggravating factors.⁸⁸

However, child marriage laws often lack robust penalties and enforcement provisions. A recent study of over 60 countries with child marriage laws found that laws, on their own, were not enough to increase the age at which people got married and that legal change also needed to be accompanied by better enforcement and monitoring to delay marriage and protect the rights of women and girls.⁸⁹

There is currently no penalty regime for child marriage in Egypt, Iraq, or Lebanon. In Turkey, there is ambiguity in the application of the laws that apply. If incidents of child marriage are reported by authorities in Turkey, it can be followed up as child abuse and action taken by the police based on the respective child protection and sexual intercourse with minors' criminal codes and how they apply to each individual case. Egypt is reportedly planning to amend the law and impose penalties on fathers, male guardians and marriage registrars involved in child marriage.⁹⁰

"I know a girl who is married at the age of 15 and gave birth to a child. She lives in Turkey and when they went to register the child and discovered that the mother is still a child; the husband was jailed and they took her child until she is 18 years old. Girls must be married at the age of 18." (young Syrian refugee woman, aged 18-20, Egypt)

While criminal enforcement and penalties are important to ensure compliance with the law and deter child marriage, they also need to be carefully formulated to match the local context and not undermine the impact of the law by driving child marriage further underground. When determining penalties, consideration also needs to be given to any unintended consequences for children, particularly for girls, and what is in their best interests should inform all actions, as required by the CRC. For example, girls should not be prosecuted for failing to report or participating in a child marriage or lose custody of her children; while it is important that child marriages are voided, measures also need to be put in place to ensure girls are supported if their marriages are found to be unlawful, especially if they have children; the potential impact on families, where parents or other relatives are imprisoned for their involvement, should also be considered and support provided.⁹¹

Religious marriages

Adolescents and young adults across the four focus countries also reported that families will find a way to marry girls despite the law, usually through religious marriages. They reported that families are more likely to “follow their own traditions” and “turn a blind eye” to child marriage laws. While some girls are married in religious courts, young girls would most likely be married in the community by a sheikh or imam and without official registration. One refugee girl noted, “If the parents’ will was with the marriage then they will go for anything to find an exit and be able to marry her off.” (Syrian refugee girl, aged 13-15, Lebanon). A young refugee man from Turkey also spoke to how many Syrians say, “...we will go back to Syria in the end so the law here would not matter.” (young Syrian refugee man aged 18-22, Turkey)

As the adolescents and young adults in this study identified, the prevalence of customary marriage practices can have a significant impact on the effectiveness of child marriage laws and is a key issue to address in the MENA region. In a study of 191 countries with child marriage laws, the MENA region had the highest percentage of countries allowing child marriage under religious or customary laws (41%).⁹²

This tension exists in countries with pluralist legal systems, where two or more legal systems coexist with different sources of law. Some countries make religious and customary laws subject to civil law while other countries treat religious and customary laws as on a par with civil law. In countries like Egypt, Iraq and Turkey, their constitutions also provide that no laws can contradict Islamic law. This results in these countries having a minimum age of marriage specified by the civil law but religious marriages are still able to take place alongside these laws. This is largely due to the understanding that Islamic law does not specify a minimum age of marriage.⁹³

As seen in Turkey, previously religious marriages were subject to the civil law (they could not take place without a civil marriage occurring first); however, Turkey’s Constitutional Court struck down this law on the basis that it contradicted rights to protection of private life and freedom of religion and conscience as guaranteed under Tur-

key’s Constitution.⁹⁴ Both government officials and human rights groups criticized the decision, saying it could lead to an increase in child marriages.⁹⁵

In the Lebanon context, where a range of religious laws on child marriage exist, there is no civil law setting a minimum age for marriage. Rather Lebanon’s constitution provides that religious sects can determine most personal status matters (including marriage) according to their own religious laws. This means that the minimum age of marriage is determined by religious leaders and, depending on the religion, girls could be married from as young as 12 to 15 years.⁹⁶ In Iraq, there have been two attempts to change the law in a similar way and give some religious sects the power to determine family matters, including the legal age of marriage, according to religious laws and outside the civil law.⁹⁷

Religious marriages involving girls are probably more likely to take place in countries which may specify a legal marriage age but fail to criminalize child marriage. As reported by the adolescents and young adults in this study, the lack of penalties and enforcement allows families to continue to arrange religious marriages of children and circumvent the law. As is the case in Egypt, if a girl is under 18, families can choose a religious marriage and subsequently register the marriage with the state when the girl turns 18, without facing any sanctions.⁹⁸ Adolescents and young adults in Egypt reported that this happened frequently in their communities. In a study with Egyptian families, the majority reported knowing about Egypt’s marriage registration law (which attempts to combat child marriage by only allowing the registration of marriages to occur when both parties are 18 years or over) but that in practice girls are married following customary laws and then their marriages are officially registered once they turn 18.⁹⁹ A study with Syrian refugee families in Egypt reported a similar approach. Refugee families were more likely to conduct religious marriages for their daughters and only register them once the girls turned 18. Alternatively, these marriages were registered in Syria (where girls are allowed to marry at 17 or younger by judicial exception) through a power of attorney or by husbands who travelled back.¹⁰⁰

By only marrying in the community and not registering marriages or delaying marriage registration, girls are often put in a precarious legal situation. If a girl's family has not negotiated a marriage contract with the groom prior to a religious marriage, her legal rights are likely to be affected, as well as her children's, until the marriage is registered.

"Apart from the fact that the children will not be registered. If the divorce takes place before the age of 18, she will not get her rights because the marriage is not documented." (young Syrian refugee woman, aged 18-20, Egypt)

As shown in a recent study with faith-based actors in Jordan and Lebanon, including religious court judges, they are actively responding to child marriage cases, determining whether a marriage should go ahead on a case by case basis and, when they deem necessary, using their influence to dissuade parents from proceeding. They also reported sometimes authorising child marriages if the minimum thresholds in Islamic law relating to maturity and consent were met as they were aware that many parents would simply marry their daughters in the community if they refused and they did not want to expose children to the risks that were involved if an unregistered sheikh was engaged instead.¹⁰¹

Adolescents and young adults in this study appear to also recognise the risks that come with unregistered marriages and marrying outside the official system or the courts. Refugee girls in Egypt were aware that the law means girls will be unable to register the marriage in the court, and if she gives birth to a child, she will not be able to register her child before she is 18 or older. They said it was likely the girls' family and the groom would know this but she may not. As a consequence, adolescents and young adults across the four focus countries called for the registration of marriages to be compulsory and for penalties to be imposed on people who failed to register marriages.

To comprehensively protect girls from child marriage, there is an urgent need to harmonise national and religious laws to ensure that the minimum age of marriage is 18 across all legal frameworks within a country. Consistency in state and religious child marriage laws has been shown to have a positive impact on child marriage rates.

In a study of 12 Sub-Saharan African countries, the prevalence of child marriage was 40% lower in countries with consistent laws against child marriage than in countries without consistent laws against the practice. The prevalence of adolescent childbearing was also 25% lower in countries with consistent minimum marriage age laws than in countries without consistent laws. Additionally, the study found that consistent laws against child marriage may protect the most vulnerable girls, including girls who were poor, uneducated or living in rural areas, from child marriage.¹⁰²

Religious leaders are key players in bringing about this type of reform and influencing community norms and beliefs about child marriage. As many religious leaders are involved in performing and registering marriages, they also play a frontline role in reducing the practice of child marriage and working with families to prevent it. Changing norms and practices relating to child marriage can be challenging depending on how dominant and conservative the religion is in each context. There are numerous positive examples, however, of religious leaders spearheading change at both the national and local level. For example, in Indonesia, female Muslim leaders issued a fatwa against child marriage and urged the government to raise the age of marriage to 18. Religious leaders in Nepal helped develop the country's national strategy to end child marriage.¹⁰³ In Egypt, leading religious scholars from Al-Azhar University and the Coptic Church of Egypt joined together with UNICEF to develop guidance, which draws on sacred text from the different religions, to analyse Islamic and Christian perspectives on harmful practices affecting children, including child marriage.¹⁰⁴ Through their interpretation of religious texts, their conclusion was that child marriage and forced marriage are cultural practices that have no basis in Islam or Christianity and should be forbidden. Their reasoning was that, "children under the age of 18 years do not have the emotional, psychological or spiritual maturity to accept and understand the responsibilities of marriage, including raising a family. Young girls are not ready for the physical and emotional aspects of childbearing and can face lifelong physical complications from early pregnancy. Therefore, parents and guardians are obliged to respect the rights of their children to grow to adulthood before embarking on marriages which might put them at risk or expose them to harm."¹⁰⁵

Poverty

Adolescents and young adults across all four countries reported economic hardship as a primary driver of child marriage in their communities and a key reason for why families may not follow child marriage laws, if they are aware of them, and look for other ways to marry their daughters. While adolescents and young adults noted that parents may be concerned about marrying their daughters too young or aware that the law prohibits it, many would ultimately agree to a marriage proposal to relieve financial pressures and improve the living situations of both their families and daughters with one Syrian refugee girl noting, “They will agree because by doing so, they will get rid of a member of the family (one less mouth to feed) and she will support them in improving their living conditions.” (Syrian refugee girl, aged 13-15, Lebanon). Most adolescents and young adults also recognised that COVID-19 has worsened families’ financial situations and this would further influence child marriage decisions.

Poverty and financial insecurity are key drivers of child marriage in refugee families. Refugees have limited opportunities to work due to restrictive employment policies and poor economic conditions in some host countries. Work opportunities for refugees are often also restricted by their immigration status. In Lebanon, an estimated 74 percent of Syrian refugees lack legal status as the result of residency regulations that require Syrians to be registered with the UNHCR or to have a Lebanese sponsor.¹⁰⁶ These limitations make refugee parents highly reliant on humanitarian assistance and unable to earn a stable income to support their families’ needs in both the short- and long-term.

The COVID-19 pandemic has significantly worsened the situation, pushing refugee families further below the poverty line. The World Bank estimates that 4.4 million people in host communities and 1.1 million refugees or IDPs in Lebanon and parts of Jordan and the KRI were driven into poverty in the immediate aftermath of the crisis.¹⁰⁷ Lebanon is hardest hit with 89 percent of refugees now living in extreme poverty, up from 55 percent the year before as a result of COVID-19 and the economic crisis.¹⁰⁸

Chronic poverty and economic uncertainty in host countries, coupled with a lack of education and future employment opportunities for girls, means marriage often remains one of the few options available to refugee families seeking to minimise financial burdens and secure a future for their daughters.



KUBRA* 13, HAS BEEN OUT OF SCHOOL SINCE SHE WAS FIVE YEARS' OLD



Kubra now lives with her father, stepmother and siblings in Turkey.

Kubra and her siblings were recently referred to Save the Children Turkey for case management support. Kubra says she does not remember much about her life in Syria except the clothes she used to wear when she visited her grandparents. Kubra has been out of school since she was five years old and has found it hard to make friends in Turkey. Her younger siblings have been registered in school but the recent COVID-19 pandemic has affected their learning as the family only have one mobile phone which they share to access remote learning.*

Kubra loves drawing and spends all her time with her siblings. She told Save the Children how she is focused on going back to school so she can become a doctor in the future.

Due to poverty, refugee girls may also be at heightened risk of sexual exploitation and trafficking through short-term, commercial marriages. In one study, Syrian refugee girls in Lebanon reported being married for brief periods of time in exchange for money paid to their families.¹⁰⁹

A similar practice between Syrian refugee girls and Turkish men is reportedly prevalent in Turkey as well.¹¹⁰ This practice is also reported in Egypt and known as ‘summer’ or ‘tourist’ marriages where men from Gulf countries marry girls for a short period of time in exchange for money.¹¹¹ Egypt has regulated (rather than outlawed) this practice by specifying the minimum amount to be paid (\$6,400) if a girl is more than 25 years younger than the groom. Officials claim this is to ensure the girl’s rights and financial security are protected but opponents say it legalizes and formalizes sexual exploitation of young women and girls in Egypt.¹¹² This practice also exposes girls to an even greater risk of gender-based violence, including sexual exploitation, as well as sexual health risks, adolescent/frequent pregnancy, impacts on their mental health and physical health complications, legal issues post-divorce, social stigma and poverty.

Threats to protection and ‘honour’

Adolescents and young adults also reported that protecting girls from harassment and preserving their ‘honour’ was another key reason why parents may not follow child marriage laws, if they are aware of them, and look for other ways to marry their daughters. Adolescents and young adults reported that protection concerns were also a key reason for taking girls out of school and, once out of school, it would be more likely that these girls would be married. An Iraqi boy highlighted, *“Parents may take [girls] out of school due to costs or fears of harassment. Society does not stand with the girl if she is harassed. She is blamed instead.”* (Host community boy, aged 13-15, Iraq)

The literature also suggests that the need to protect refugee girls in displacement contexts strongly influences refugee families’ decision to marry their daughters. Refugee families often reported a heightened sense of insecurity in displacement settings and a perception that their daughters’

protection and ‘honour’ was at greater risk. Refugee parents often chose child marriage as way to deal with these heightened risks and protect their daughters’ and their family’s honour.¹¹³

Refugee girls are likely to experience increased protection risks while they are displaced. Syrian refugee girls in Lebanon have reported significant levels of gender-based violence, including threats of kidnapping and sexual assault, on their journey to and from school as well as sexual harassment within school, by boys and teachers. Both girls and mothers also reported gender-based violence as a key reason for school drop-out and a catalyst for child marriage.¹¹⁴

Research from Lebanon suggests that refugee girls also regularly receive unwanted attention and unsolicited proposals from host community men, which triggers their families to marry them earlier than intended. In one study, host community men were reported to regularly doorknock at unmarried girls’ homes seeking marriage. Girls were often quickly betrothed to someone known to the family, in order to dissuade other suitors and avoid gossip, or depending on the families’ financial situation and the financial or legal security offered by potential grooms, they may decide to accept the proposal when they may have otherwise not sought it out.¹¹⁵

Refugee families’ living situations may also influence how they perceive protection risks and make child marriage decisions. One study found differences in the perceived level of risks between refugee families living in tented settlements in Lebanon (who were largely from poorer, rural backgrounds), and those living outside of settlements (who were largely from wealthier, urban backgrounds). Refugee families living in tented settlements had lower risk perceptions, which was attributed to them being more insulated, often from the same region, better able to preserve community ties and women’s mobility was more restricted. Outside of settlements, refugee parents were more concerned about their daughters’ safety, due to physical threats and their exposure to Lebanese society, and these factors impacted on prevalence and likelihood of child marriage.¹¹⁶

Out of school

Adolescents and young adults also reported that parents were more likely to ignore child marriage laws and find other ways to marry their daughters if girls were out of school. This is because once girls are out of school and isolated at home, their parents feel that the only option left is to marry them.

While all refugee children face significant barriers to accessing education, the situation is more acute for refugee girls. At the secondary school level, when adolescent girls are most vulnerable to child marriage, only 27 percent of refugee girls are enrolled in secondary education compared to 36 per cent of refugee boys.¹¹⁷ COVID-19 is likely to push even more adolescent girls out of school – at least 10 to 16 million children, mostly girls, are estimated to be at risk of not returning to school¹¹⁸ and 10 million more girls are at risk of child marriage across the next decade.¹¹⁹ In comparison, if all girls completed secondary school, it is estimated that child marriage rates would plummet by 64 per cent.¹²⁰ Research by Save the Children also suggests that based on the very low number of girls who are both married and in school, 51 million child marriages could be averted if universal secondary education for girls is achieved by 2030.¹²¹

Refugee girls face significant barriers to accessing education in displacement settings. Key education barriers for refugee girls in Egypt, Iraq, Lebanon and Turkey include: costs associated with school attendance, including transportation; unsafe journeys to school; bullying and discrimination at school; poor quality education; language and curriculum differences; barriers linked to lack of legal status of both girls and parents; lack of documentation; administrative barriers to enrolments; school capacity issues; household chores and caregiving; harmful gender norms; and, limited employment opportunities for girls beyond school.¹²²

Adolescents and young adults across the four focus countries reported similar barriers, with most emphasizing that girls were less likely to continue their education because of family poverty, education-related costs and protection issues, particularly sexual harassment. COVID-19 was consistently cited as an exacerbating factor with low quality distance learning and associated costs (such as mobile phones and internet) reported as key barriers to girls continuing their education. Barriers to refugee girls' education are putting girls at greater risk of child marriage. As research with Syrian refugee families in Lebanon demonstrates, while education was a key factor in delaying marriages in Syria, the limited access to education for refugee girls in Lebanon contributed to an increasing number of child marriages.¹²³ Many of the refugee girls interviewed in the study said that they left school earlier in Lebanon compared to when they would have completed their education in Syria.¹²⁴ In other research with Syrian refugee girls in Lebanon and Turkey, they also associated their lack of education options in displacement contexts with their risk of child marriage.¹²⁵

Low quality education in displacement settings is also a key driver. As reported by Syrian refugee parents in Egypt, poor education in the public school system and an inability to pay for private tuition, increased the likelihood that girls would be taken out of school and married.¹²⁶

Risks to girls' protection on the way to and from school is a specific barrier to refugee girls' education. Both refugee parents and girls frequently cite sexual harassment on the way to school as a key reason for school drop-out. Parents also reported that while child marriage is less desirable and keeping girls in school would be more beneficial in the longer term, child marriage was seen as a better tool for protecting girls from harassment in the short-term, rather than letting them continue to go to school.¹²⁷

AMINA* AND HER SISTER ROWAIDA* FROM EGYPT LOVE GOING TO SCHOOL



Amina and her sister use tools provided in SC's educational bag to form words.

Amina's* younger sister Rowaida* is highly dependent on her. When the COVID-19 pandemic disrupted their education, they were introduced to new methods of distance learning to maintain their education. This was not easy for the girls but Amina was determined to succeed and continue learning. She followed up with her teachers and school on a regular basis, not only for herself, but for Rowaida too. She also encouraged her mother to attend intergenerational learning sessions, which support parents to teach their children, provided by Save the Children, and this had a very positive impact on their relationship. Amina loves her school because it has a very big library where she can read beautiful stories and play educational games. Amina aspires to become a successful and influential person when she grows up, and there is nothing that can get in her way.

Limited employment opportunities in displacement settings is also linked to the devaluation of refugee girls' education and heightens their vulnerability to child marriage. Refugee parents in Lebanon reported no longer seeing the value or the possibility of their children finishing their education, or how it will help them in the future as the connection between education and economic prosperity is also weakened as it is illegal or difficult for refugees to get a stable and well-paying job in Lebanon.¹²⁸ Refugee girls also associated the lack of employment opportunities after education as a key reason for their withdrawal from school and likelihood of child marriage.¹²⁹

Social norms and restrictive gender roles also strongly influence parents' marriage decisions about girls. They may value girls' education less and so may more readily pull girls out of school and marry them. Due to harmful gender norms, parents often only see girls' potential to be a wife and mother and they may not support her to delay marriage, seek skills building opportunities or complete her education.

Once girls are married, it is very unlikely they will return to school.¹³⁰ Adolescents and young adults in this study reported that it was highly unlikely married girls would return to school. While they would need their husband's permission to do so, they would also be unlikely to be able to return to school due to the new demands of married life, including increased household and childcare responsibilities. In most countries, Muslim women can request stipulations in their marriage contracts, such as the right to complete their education, but this mechanism is not widely used for a number of reasons, including social acceptance of using such a stipulation and a fear to assert these rights.¹³¹

The link between education and child marriage may also be intergenerational. Several studies

have found that a mother's level of education has a significant impact on girls' school drop-out and the decision to marry off a child.¹³² A study in Iraq also found that girls with a head of household with a lower education level were 10.5 times more at risk of being married.¹³³ This suggests that limited education opportunities for refugee girls not only increases her risk of child marriage, but increases the risk that her children will also marry young.¹³⁴ Similarly, it is equally important that boys also attain higher levels of education as this may influence their views on child marriage in the future.

At the same time, education can protect girls from child marriage as the longer they stay in school the less likely they are to be married.¹³⁵ While further research is needed to establish a causal link between education and child marriage, the associations are clear and consistent.¹³⁶ The evidence suggests that education is an effective protective mechanism against child marriage. In one study, across 18 of the 20 countries with the highest prevalence of child marriage, girls with secondary schooling were up to six times less likely to marry as children when compared to girls who have little or no education.¹³⁷ In another study, child marriage rates in Iraq were found to be lower (6.8 percent) among girls with secondary education compared to girls with lower education levels (33.8 percent).¹³⁸ In a study from Turkey, it was found that increasing compulsory years of schooling had a significant impact on child marriage rates of 16 year olds and birth rates of 17 year old girls, with an almost 50% decrease recorded. At the same time, this study found that once girls completed their compulsory education, marriage and birth rates rebounded, if not increased, suggesting that other interventions are also needed to support girls to delay marriage and children for as long as possible, if that is their wish.¹³⁹

RAYA*, 12 YEARS OLD, ADVOCATES FOR CHILDREN'S RIGHTS IN HER SCHOOL IN IRAQ



Raya enjoys drawing at home.

When Raya* returned to school and saw it had been partially destroyed after the war with ISIS, this made her very sad. Save the Children opened a child protection and education centre to boost children's mental health, resilience, and education skills and Raya was supported through the children's resilience programme to help improve her coping skills. Her mother, Nadia, took part in positive parenting sessions to boost parenting skills by creating a better friendly environment, free from violence between parents and their children. "When I first came to the centre, I couldn't read or write, but now I learned so much and learned some English as well" said Raya. Raya mentioned to her teachers in both centres that she would like to become an engineer so she can repair and maintain the schools that were affected by the conflict. Her mother says "Raya likes to spend quality time at Save the Children's centres, whenever possible, because she feels very comfortable and confident there. She advocates for children's rights at her school and urges her peers to participate in Save the Children's resilience programme, because she learnt so much from it and increased her self-confidence."

BEYOND CHILD MARRIAGE LAWS

ENSURING GENDER EQUALITY AND GIRLS' RIGHTS ARE ALSO PROTECTED

To be effective, child marriage laws also need to be part of a comprehensive legal and policy framework that promotes gender equality and children's rights, and protects women and girls against discrimination in law and practice.¹⁴⁰ This includes laws related to, among others: marriage and divorce, including marriage registration, property and inheritance, custody of children; gender-based violence, including intimate partner and other forms of domestic violence, marital rape and sexual harassment; harmful practices, including FGM; nationality and citizenship, including birth registration; child trafficking and sex trafficking; women's and girls' rights, including to equality and non-discrimination in all areas of public life, education and health care.¹⁴¹

Otherwise, efforts to combat child marriage will be undermined if, for example, the key drivers of child marriage, like sexual harassment in public places, are not criminalized or, in contexts where girls are vulnerable to exploitative marriages, child trafficking laws are weak. Robust birth and marriage registration laws are also an important tool in protecting girls from child marriage as they provide undisputable proof of age and allow relevant officials to avoid registering marriages that are in violation of the law.¹⁴² Extending the compulsory education age in law can also protect girls against child marriage.¹⁴³

BEYOND THE LAW - THE NEED FOR MULTIPLE INTERVENTIONS

While protecting girls against child marriage through law is an important first step, legal protection is not sufficient to end the practice. As recognised in the 2019 Human Rights Council resolution on child, early and forced marriage, making child marriage illegal is insufficient when laws are introduced without complementary measures and support programmes.¹⁴⁴ In fact, research suggests that law change is the least effective intervention to end child marriage, particularly when not implemented in tandem with other interventions.¹⁴⁵

While there is limited evidence on what interventions are the most effective in reducing child marriage rates, especially in humanitarian contexts, a recent systematic review of 30 studies published between 2000-2019, which

evaluated the impact of child marriage interventions, provides some important insights. The review found interventions that support girls' schooling through cash or in-kind transfers show the clearest pattern of success in preventing child marriage and targeted life skills and livelihoods training for girls linked to favourable markets also showed consistent positive results. Comparatively, asset or cash transfers to girls' families' conditional on delaying marriage only showed a 50% rate of success and unconditional cash transfers for poverty mitigation showed no effect. Overall, the study concluded that interventions focussed on the enhancement of girls' own human capital and opportunities are the most compelling pathway to delaying marriage.¹⁴⁶

The review also found a low success rate for multicomponent interventions that try to empower girls through multiple pathways; whereas, single component interventions were much more successful and also more likely to be at scale and sustainable. This is, however, likely due to a bias toward publishing positive evaluations and the reality that multicomponent programmes are more likely to include at least one ineffective component.¹⁴⁷ Practitioners continue to recommend multi-level, integrated responses essential to deliver the multi-sectoral response promoted by models like the AU Campaign to End Child Marriage and the Regional Accountability Framework of Action to End Child Marriage in Arab States/ Middle East and North Africa (RAF).

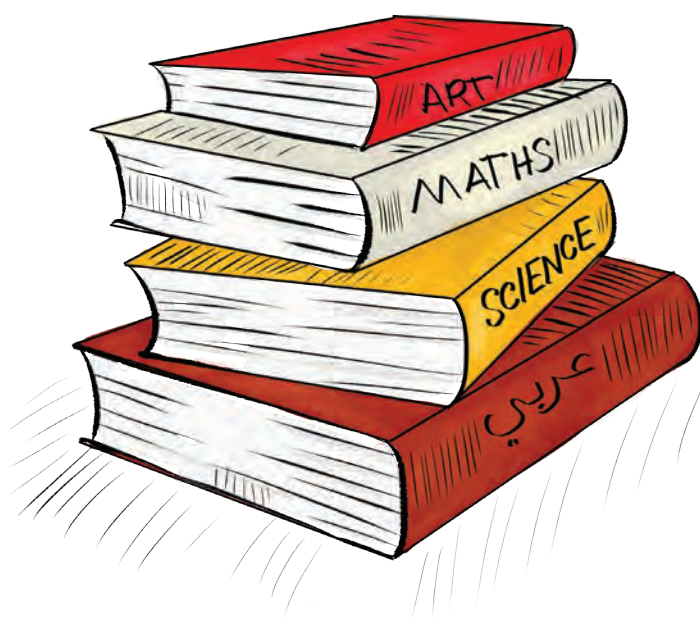
The number of multicomponent responses has increased over the past decade in recognition of the need to address intersecting drivers of child marriage.¹⁴⁸ The choice between single and multicomponent interventions, however, will always depend on the circumstances. Save the Children's research has also found that among a sample of programmes, some prioritizing simple, single-component interventions were evaluated as being as effective as the complex, multi-component programme designs examined. Multi-component interventions, which seek to target the multiple root causes and drivers of child marriage can be more complex and often challenging to coordinate, implement and evaluate, or are simply not feasible given resource constraints. When deciding between single- and multi-component interventions, the feasibility, sustainability, and cost of program scale-up and whether a simple, single-component intervention may prove as effective in achieving the desired results as a complex, multi-component design given organizational limitations must be considered.¹⁴⁹ Sustainability considerations, however, must look beyond resourcing to the transformative potential of the intervention, which may favour multi-component responses.

To increase the effectiveness of child marriage laws, countries also need to put in place comprehensive and costed action plans to end child marriage. For example, Egypt launched a National Strategic Plan for Prevention of Child Marriage in 2014, which aimed to reduce the prevalence of child marriage by 50% over a five-year period through two main approaches. The first is a rights-based approach which ensures that constitutional laws that ban child marriage are also upheld at the religious and customary level. The second is a partnership approach designed to bring together government, public sector and civil society organizations to achieve five goals: empowering girls; supporting girls already married to minimize harmful impacts; continuing to update existing protective legislation to ensure it is working; educating and preparing girls to tackle family pressures to marry early and working with families and communities to educate them on the harmful consequences of child marriage.¹⁵⁰ Sadly, however, progress on implementing the national strategy has reportedly slowed due to the Ministry of Population being disbanded and political instability.¹⁵¹ The African Union's Campaign to End Child Marriage in Africa and its Common Position have created valuable momentum for policy change in African countries, including the introduction of multi-sectoral national action plans and strategies like Egypt's.¹⁵² While the RAF is a key regional initiative focussed on ending child marriage across the MENA region, this is led by humanitarian and development agencies and there remains a need for state-led action to occur, similar to the African Union's. to increase regional cooperation and leadership and further catalyse change on child marriage across the MENA region.

In humanitarian contexts, crisis-affected girls are more vulnerable to child marriage and while it is important that every effort is made to ensure they are also protected by host country laws and programming, they are more likely to be interfacing with humanitarian actors and the most effective way to protect and support them may be through humanitarian responses, particularly those coordinated at interagency level. Despite this need and increased attention on child marriage in humanitarian settings, it is still rarely prioritised in humanitarian needs overviews and humanitarian response plans. The reasons for this are varied and complex¹⁵³ but, overall, greater efforts are needed to ensure that preventing child marriage and responding to the needs of married girls is better addressed in humanitarian responses. Child marriage needs to be integrated at every stage of the humanitarian programme cycle from the needs assessment, response planning and resource mobilization stages through to the implementation and operational review and evaluation stages.¹⁵⁴ This will require improved coordination between humanitarian actors, including the humanitarian cluster system, agencies and donors, as well as development actors, in planning and implementing child marriage interventions.

An increase in targeted humanitarian funding for evidence-based child marriage programming and key coordination mechanisms (like the RAF)¹⁵⁵ is also urgently needed. There remain chronic gaps in funding for child protection programming, however, which has in turn undermined efforts to strengthen child protection systems themselves. There is significant need for investment in gender responsive child protection systems, GBV services, and mental health and psychosocial support services, not only to provide life-saving services but also to build the capacity of national authorities and civil society organisations to identify, refer and respond to child protection and GBV concerns for children, particularly girls, on issues such as ending child marriage.

More funding for research, including improved data collection, and programme evaluations is also needed to ensure a better evidence base is built on what factors influence child marriage in humanitarian settings, both at the outset of a crisis and as it protracts, and what programming responses are the most effective and should be scaled up to protect girls from child marriage in different contexts and circumstances.



AREAS FOR FURTHER RESEARCH

As this research shows, child marriage is driven by a diverse range of complex and intersecting factors, which are highly contextual and nuanced. While extensive research and evaluations have been undertaken in recent years to better understand what drives child marriage and what interventions can reduce it, there still remains significant areas to explore. For example, while not exhaustive, research on the following areas would further inform the evidence base and help focus efforts effectively:

- **Child marriage in humanitarian settings:** on understanding the differences between child marriage in different crisis settings (e.g. climate-related emergencies, conflict, pandemics), among internally displaced people versus non-displaced communities and refugees, among recent arrivals versus long-term refugees, among refugees according to ethnicity, religion, social class, education, rural or urban location, country of origin;¹⁵⁶ on the different ‘destination effects’ on child marriage and how the nature of the displacement, its duration, its trajectory and the norms and patterns of child marriage encountered at the destination after forced migration affect attitudes and behaviours among displaced populations;¹⁵⁷ how changing macro-, meso- and micro-level social and economic trends in host countries and communities impact on refugee child marriage rates;¹⁵⁸ how host country legal frameworks, including child marriage laws, apply in humanitarian contexts and to refugee populations and how host country laws and policies on refugees (e.g. relating to status, employment, etc) affect refugee child marriage rates.¹⁵⁹
- **Married, divorced and widowed girls:** on understanding the situation for married, divorced and widowed girls, particularly in terms of their legal rights, access to services, and rehabilitation and protection issues, including how often girls are divorced and remarried and the impacts of this.¹⁶⁰
- **Child marriage and boys:** on understanding the prevalence, drivers and impact of child marriage for boys.¹⁶¹
- **Child marriage decision-makers:** on understanding the perspectives and motivations of all actors across the child marriage decision-making cycle, including girls, boys, mothers, fathers, brothers, grooms, husbands, and religious and community leaders. More research is also needed on how peer pressure between adolescent girls can influence their child marriage decisions.¹⁶²
- **Child marriage and mental health:** on understanding the impact of child marriage on girls’ mental health, including the situation for unmarried girls and divorced girls.
- **Child marriage and protection:** on understanding the impact of enhancing girls’ safety in public spaces, including schools, on child marriage and school drop-out rates.
- **Child marriage laws and effective implementation:** on understanding what works to effectively implement relevant laws, including budget implementation and what are the advantages and disadvantages, as well as unintended consequences, of sanctions versus incentives.¹⁶³
- **Child marriage and education:** on understanding the success of demand-side interventions to promote girls’ schooling through cash and in-kind support as well as the potential positive effects of supply-side interventions for girls’ schooling, such as more secondary schools or female teachers, better curricula and skills, or more accessible transportation.¹⁶⁴

In addition to more rigorous studies on child marriage in humanitarian settings, there is also an urgent need to improve systematic data collection on child marriage in humanitarian settings. Including to develop tools to measure and track the incidence of child marriage in humanitarian contexts and generate more accurate, timely and disaggregated data on child marriage rates in refugee, displaced and host communities.¹⁶⁵

CONCLUSION AND RECOMMENDATIONS

This research has demonstrated that, on paper, child marriage laws have significant potential to protect girls from early marriage; however, in practice, they are likely to be ineffective if they are weak, open to interpretation and obfuscation, are not adequately enforced and if they set out customs, practices and rules of conduct that are yet to be recognized and endorsed by the communities they intend to bind.

To make child marriage laws more effective for all children, including refugee girls, and reduce child marriage rates in host and refugee communities in Egypt, Iraq, Lebanon and Turkey, it is recommended that governments, donors and the international community undertake the following actions:

ADOLESCENTS AND YOUNG ADULTS' RECOMMENDATIONS

Ensure the law protects all children from marriage:

- set at least 18 years as the minimum age of marriage and remove any exceptions to this rule;
- make the registration of all marriages – whether civil, religious or customary – compulsory;
- penalise people who facilitate child marriages, including parents, relatives, adult grooms, religious leaders, community members and officials.

Ensure everyone, including parents, community members, religious leaders, and anyone who should be enforcing the law, knows about the law and respects it:

- promote greater awareness of child marriage laws, why children should be protected from child marriage and what the penalties are for facilitating child marriages.

Ensure everyone is supported to avoid child marriage:

- provide better livelihood opportunities for families, including refugee families;
- protect girls from sexual harassment and provide girls with safe spaces and transportation;
- improve girls' access to a safe, quality education so they stay in school.

Support girls to:

- know their rights, voice their opinions and make their own choices without fear or retribution;
- continue their education by providing girls with access to safe, quality education and supporting parents to keep girls in school;
- change community perceptions of their roles in society by raising awareness and working to change gender norms and expectations;
- seek help if they are already married and support girls who want to divorce or are divorced.

SAVE THE CHILDREN'S RECOMMENDATIONS

Save the Children fully supports children's right to be heard in decision-making at all levels on all issues that impact their lives, including on child marriage. First and foremost, we reiterate the adolescents and young adults' call **that the governments of Egypt, Iraq, Lebanon and Turkey must make marriage before the age of 18 illegal, without exception**. In addition, we call of these governments to:

Improve child marriage laws and policies by:

- working with religious leaders to ensure consistency between civil and religious laws on child marriage and to support and promote children's rights, including protection from marriage until they are adults;
- improving the process for religious marriages that occur outside religious and civil courts to ensure appropriate oversight and registration;
- making birth and marriage registration compulsory and removing any barriers that impede registration, particularly for refugees;
- developing costed national strategies and action plans to combat child marriage and promote gender equality. These plans must be multi-sector, include cross-agency coordination and implementation, and child-friendly monitoring and reporting mechanisms;
- expanding women and girls' access to justice, protection and sexual and reproductive health services;
- providing the necessary budgets and resources to ensure the implementation of child marriage laws, strategies and related services;
- In line with the Global Compact on Refugees, implement policies and programmes to empower women and girls in refugee and host communities and equality of access to services and opportunities.

Address enforcement gaps by:

- considering what enforcement approaches would complement and support, rather than undermine, community-based efforts to promote changes in social and gender norms and behaviours and protect the best interests of the child. The best interests of the child must always be paramount in any decision relating to the creation of criminal penalties for child marriage, however, including in light of concerns around adverse outcomes for children, particularly girls as a result of criminalisation;
- providing community-level monitoring, reporting and referral mechanisms that are safe for women and girls;
- improving enforcement of the law through targeted training and awareness raising with enforcement staff and prosecuting breaches.

Promote greater awareness of child marriage laws by:

- raising awareness of child marriage laws and marriage registration laws and processes within communities, across all demographics, including refugee communities;
- engaging community leaders, religious leaders and other organisations to change norms and practices that support child marriage.

Promote greater gender equality by:

- enacting laws and policies that promote gender equality and remove discriminatory legal provisions that disadvantage women across all areas of their lives including marriage, divorce and inheritance, employment and protection from gender-based violence.

Save the Children calls on governments, donors and civil society to:**Prioritise interventions that have the transformative potential to combat child marriage by:**

- designing and implementing evidence-based interventions, whether they be single or multicomponent interventions, that best fit the context and are most likely to bring about positive change for girls and minimise their risk of child marriage;
- enhance girls' agency, and educate parents, boys and girls, relatives, community members, and religious leaders and officials, on the negative effects of child marriage, including building on male responsibility and accountability.

Address key drivers of child marriage by:

- ensuring that the basic needs of families are met and families have access to livelihood opportunities, including refugee families and specifically women and girls;
- improving the safety of women and girls by providing safe spaces and safe modes of transportation, strengthen support services for girls at risk and outlawing gender based violence against women and girls;
- reducing key barriers to girls' education such as language, transport, and safety concerns, particularly in displacement settings, and strengthen education systems to improve girls' access to and completion of their education through early adulthood.

Invest in increasing girls' potential by:

- removing barriers to girls' voice and agency by improving their access to a safe, quality education and future economic opportunities, as well as civic and political knowledge, skills, and meaningful participation and leadership opportunities.



Promote a better understanding of child marriage and track progress by:

- systematically collecting and publishing data on child marriage rates at the national and local level and across different affected groups, including refugee girls. All relevant parties should do so by contributing to existing efforts and consortia to increase the evidence base on child marriage, including the Global Programme to Accelerate Action to End Child Marriage and the Compact for Young People in Humanitarian Action;
- systematically collecting and publishing disaggregated data related to the key drivers of child marriage, particularly around girls' ability to access a safe and quality education and their experience of gender-based violence in the community and at home;
- undertaking targeted research, particularly in humanitarian settings, to build the evidence base, better understand what factors increase girls' vulnerability to child marriage depending on their circumstances, context, and/or individual, community or group identity characteristics, and identify which interventions are having the biggest impact on efforts to end child marriage. This research should utilise existing data collection mechanisms and be part of a country or regional child marriage research agenda where possible to avoid duplication and maximise efforts.¹⁴⁵

Address child marriage in humanitarian responses by:

- integrating child marriage at every stage of the humanitarian programme cycle from the needs assessment, response planning and resource mobilization stages through to the implementation and operational review and evaluation stages;
- improving coordination between humanitarian actors, including the humanitarian cluster system, agencies and donors, as well as development actors, in planning and implementing child marriage interventions;
- increase humanitarian funding for evidence-based child marriage programming and key coordination mechanisms. Provide funding to strengthen child protection systems and invest in gender responsive child protection systems, GBV services, and mental health and psychosocial support services to also contribute to ending child marriage;
- increase funding for research, including improved data collection and programme evaluations, to ensure a better evidence base is built on what factors influence child marriage in humanitarian settings, both at the outset of a crisis and as it protracts, and what programming responses are the most effective and should be scaled up to protect girls from child marriage in different contexts and circumstances.

Address child marriage within COVID-19 responses by:

- developing a gender-sensitive COVID-19 response plan that addresses girls' heightened vulnerabilities to child marriage during the pandemic and includes protections to curb drivers of child marriage like poverty and limited access to education;
- monitoring the impacts of COVID-19 on girls and their vulnerability to child marriage and adapting response plans as needed.

* All names have been changed for protection.

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