



Speech to OHCHR seminar on child, early and forced marriage.

Geneva 16 June 2017

Introduction

Thank you for the invitation to this seminar. Today I am wearing two hats: first as the Chief Commissioner of the Northern Ireland Human Rights Commission and second as the chair of the Commonwealth Forum of NHRIs.

I am a great believer in the maxim 'think globally, act locally' which is a phrase initially attributed to Patrick Geddes a Scottish town planner in the early 20th Century and has been embraced by the environmental and UN movement from the 1970s onwards as a way of tackling global issues. Ending Child, Early and Forced Marriage is one of the specific Sustainable Development Goals but, arguably the chances of meeting many, many other SDGs will not succeed unless we tackle this issue. So work must begin at home.

Some sobering facts to start with:

- Every year 15 million girls are married before the age of 18 – that is 28 girls a minute or almost two girls a second.
- More than 700 million women and 150 million men have suffered the consequences of child marriage.
- The rate of child marriage is slowly declining but, progress is not swift enough.
- If reduction in child marriage is not halted then the number of women married as children will reach 1.2 billion by 2050.

Those figures hide the fact that every single child marriage is an individual and personal story.

Child marriage is caused by many factors but, commonly they include gender inequality, poverty, cultural traditions and norms and economic insecurity. Child marriage violates girls' rights to health, education and opportunity, it impairs girls confidence, wellbeing and development. It can create a cycle of violence and poverty and it is a human rights violation.

I want to quote Grace Machel on tackling cultural norms and practices 'people learnt customs and practices and people can unlearn them'.

The issue is a global one yet it is not confined to a single continent or the developing world though that is where it is most prevalent. Tackling the issue has to recognise the context specific role and local circumstances of each country but, strategies for tackling child marriage must be holistic, multi-pronged, involve civil society and government, local and national leaders, embrace education, health, equality and economic and wider issues no matter which country is developing a strategic approach.

The position in Northern Ireland

In Northern Ireland, (and the UK as a whole) the minimum age at which an individual can marry is 18, however, a 16 or 17 year old child may be married with the consent of parents or legal guardians. Each year in Northern Ireland there are around 70 children getting married aged 16 or 17 and two-thirds of those children are girls. In the UK as a whole the Forced Marriage Protection Unit gave advice or support to victims of forced marriage on 1267 occasions in 2014 and 11 per cent of those seeking support were aged 16 or 17.

A Home Office working party noted the spectrum of forced marriage ranged from emotional pressure and manipulation through to threats and actual violence, abduction, imprisonment, rape, and in some cases murder. In the majority of cases people spoke about 'loving manipulation' where parents felt they were acting in the child's best interests. In practice, in these cases the child's voice and views were nowhere to be heard – a negation of one of the key rights contained in the UN Convention on the Rights of the Child.

The Commission realised that marriage aged 16 or 17 was contrary to recommendations contained in the UN Committee on the Rights of the Child General Comment No4 and UN Committee on the Elimination of Discrimination against Women General Recommendation 21.

The particular circumstances in which children get married is unclear but, anecdotally a particular issue in Northern Ireland appears to be travellers coming from elsewhere in Ireland where the minimum age of a child is 18 to get married earlier and moving back down to Ireland. On returning to Ireland, the married girls are normally treated as adults rather than children. Moreover, across the UK the issue of child asylum seekers arriving already married has created legal issues – though the European Court of Human Rights has upheld the right of Switzerland not to recognise a child marriage and found no violation of the right to family life under Article 8. (see application ZH and RH v Switzerland ECHR386 (2015)). In practical terms, we do not know the circumstances behind each child marriage in Northern Ireland as the data is not kept in a way to allow further understanding.

The Commission drew this issue to the attention of the UNCRC committee during its submission to the UK's periodic report in 2016

and the issue was subsequently included in the recommendations made by the Committee to the UK government.

The Commission also publishes an annual human rights statement each year which looks at the progress made in implementing human rights standards.

A traffic lights system is applied to legislative and policy issues with child, early and forced marriage being given a red light – signifying an issue which requires immediate action by either the UK government, NI Executive or relevant public authorities where the issue may constitute an ongoing violation or abuse of human rights. The report is launched in the NI Assembly at the Stormont Parliament on human rights day before an audience of politicians, policy makers, human rights NGOs and other key stakeholders. Winning this battle will take time but, we have put the issue on the map locally.

Work within the Commonwealth

The Commission has also signed the Kigali Declaration on the imperative to prevent and eliminate child, early and forced marriage in 2015 along with many of the CFNHRI's other members which brings me neatly to the work of the Commonwealth Forum of NHRIs and the Commonwealth Secretariat.

The declaration sets out 17 actions for NHRIs to strengthen efforts to end child, early and forced marriages in their countries. The actions include developing action plans, building alliances with civil society and other stakeholders, developing practical support services, reforming legislation, monitoring implementation of international treaties and advocating for rights signed up to by national states, promoting more effective data collection, working with local, traditional and religious leaders, encouraging dialogue with men and boys, promoting compulsory quality education at both

primary and secondary levels, advocating for and supporting national and regional policies and strategies to end child early and forced marriage and finally to support wider Commonwealth efforts and draw on the support and assistance of the Commonwealth Secretariat to implement the declaration.

Now I am a great believer in the saying 'actions speak louder than words' so I want to mention briefly two practical initiatives in our members countries. The first is Ghana – the Ghanaian NHRI the Commission for Human Rights and Administrative Justice and Commonwealth Secretariat brought together traditional chiefs and their female counterparts 'the Queen Mothers' to hear at first hand from survivors about their experiences. A number of chiefs and Queen Mothers were identified as champions to take forward campaigning at a local, regional and national level – in particular, to advocate for quality education, and the right to health and well being of girls, engagement with men and boys, and with girls and women already married to become role models and to get tribal chiefs and Queen Mothers to lead a community awareness campaign.

A second initiative is in Cameroon where the Association to Combat Violence Against Women – Extreme North – (ALVF-EN) a feminist organisation sponsored a major study to better understand child, early and forced marriage (CEFM) and to help its members and other organisations advocate against CEFM and promote women's empowerment. The aim was to use the findings to make the case for the implementation of a new Code of the Family and the Person. They surveyed individuals, families and held focus groups – the results revealed that people knew more about the traditional and religious norms that promote child, early and forced marriage than about the laws that forbid it, it highlighted the problems with the

laws with different minimum ages for boys and girls and the lack of enforcement of even the flawed law and highlighted the link of CEFM to poverty and the consequences of CEFM on girls – impairing confidence, autonomy, development and health and well-being. ALVF-EN has set up women life centres as part of a wider support to women and girls at risk of domestic violence, and local brigades who initiate community based education about girls rights while also denouncing child marriage.

The campaign to change the law is stalled in Parliament but, the campaign continues, work is being done to introduce comprehensive sex education into the school curricula, advocating for a national monitoring service to better collect data, providing a platform to capacity build organisations wanting to fight the practice and pushing for a national awareness campaign. The battle has still to be won in both countries nonetheless, early and forced marriage is not going unchallenged.

These are just two grassroots, bottom up initiatives within NHRIs and civil society in our member countries. There is a need for political and civic leadership alongside such initiatives. Ending child and forced marriage is one of the CFNHRIs strategic priorities. We intend to play an active role at the Commonwealth Heads of Government Meeting (CHOGM) in April 2018. The issue of child, early and forced marriage and girl empowerment and children's rights was a significant feature of the 2015 meeting in Malta – I hope we can ensure it has a similar profile in London next year.

Thank you.

Les Allamby

Chief Commissioner

Northern Ireland Human Rights Commission