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CHILD MARRIAGE: BANGLADESH

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A male relative of Shiuli Akhter, whose family said she was 18 years old, carries her out of her parents' house after her wedding ceremony. This is a common practice following a marriage, when a bride leaves her parents' home for the first time. April 2, 2015.
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SUMMARY



Bangladesh has the fourth-highest rate of child marriage in the world, after Niger, the Central African Republic, and Chad, according to the United Nations children's agency, UNICEF. In the period 2005 to 2013, according to UNICEF, 29 percent of girls in Bangladesh married before the age of 15 and 65 percent married before the age of 18. Child marriage around the world is associated with many harmful consequences, including health dangers associated with early pregnancy, lower educational achievement for girls who marry earlier, a higher incidence of spousal violence, and an increased likelihood of poverty.

Research shows that globally girls aged 10-14 are five times more likely to die during delivery than mothers aged 20-24; girls aged 15-19 are still twice as likely to die during delivery than women aged 20-24. The link between lack of or poor education and child marriage is borne out by research finding that in Bangladesh women with primary, secondary and higher education, compared to women with no formal education, were respectively 24 percent, 72 percent, and 94 percent less likely to marry at a young age. A study across seven countries found that girls who married before the age of 15 were more likely to experience spousal abuse than women who married after the age of 25. Global data shows that girls from the poorest 20 percent of families are twice as likely to marry before 18 as girls whose families are among the richest 20 percent.

In other respects, Bangladesh has been cited as a development success story, including in the area of women's rights. The UN cited Bangladesh's



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“impressive” poverty reduction from 56.7 percent in 1991-1992 to 31.5 percent in 2010. Bangladesh has achieved gender parity in primary and secondary school enrolment, according to the UN. Maternal mortality declined by 40 percent between 2001 and 2010.

Bangladesh’s success in achieving some development goals begs the question why the country’s rate of child marriage remains so high. This report aims to help answer that question and suggest ways in which Bangladesh’s government can apply effective strategies to achieve comparable success in reducing child marriage.

In Bangladesh there are several factors driving the high rate of child marriage. Gender discrimination feeds social attitudes and customs that harm girls at every stage of their lives and fuel the country’s extremely high rate of child marriage. Desperate poverty remains a daily reality for many families in Bangladesh, and many parents see child marriage as their best option to safeguard the future of a daughter they feel they can neither feed nor educate nor protect. Bangladesh’s status as one of the countries in the world most affected by natural disasters and climate change adds an additional element of hardship to many families, especially those living in the most marginal and disaster-affected parts of the country.

Bangladesh’s government has responded to the growing attention to the harms linked to child marriage by promising swift action. At the July 2014 Girl Summit in London, Bangladesh’s Prime Minister



At the July 2014 Girl Summit in London, Bangladesh’s Prime Minister Sheikh Hasina promised to end marriage for girls under the age of 15 by 2021 and reduce by more than one-third the number of girls between the ages of 15 and 18 who marry. She also promised to end all child marriage by 2041. As part of this effort, she pledged that her government would revise the Child Marriage Restraint Act (CMRA) and develop a national plan of action on child marriage before 2015. Her government has since proposed that the age of marriage for girls be lowered from 18 to 16. © 2014 Reuters

Sheikh Hasina pledged to take steps to reduce child marriage in Bangladesh and to ultimately end it by 2041. She committed, by 2021, to end marriage for girls under 15 and reduce by more than one-third the number of girls between the ages of 15 and 18 who marry. As part of this effort, she pledged that her government would revise Bangladesh’s law which prohibits child marriage, the Child Marriage Restraint Act (CMRA) before 2015, develop a national plan of action on child marriage by the



Sifola, age 13, stands in the home she shares with her husband and in-laws. Her parents took her out of school and arranged her marriage because they were struggling with poverty and wanted to conserve their resources in order to pay for her brothers' schooling. Her family bribed local officials to forge a birth certificate that showed her age as over 18 in order to marry her off. March 31, 2015.

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end of 2014, and take other steps to change social norms and engage civil society in the fight against child marriage.

Sheikh Hasina's efforts to follow through on the commitments she made at the Girl Summit have already been marred by delay. One reason for this was a debacle over a proposal to revise the CMRA by changing the age of marriage in Bangladesh to 16 years old for girls and 18 years old for boys. This proposal was vigorously opposed by civil society activists in Bangladesh, as well as international experts. At the time of writing, the government still appears to be pushing forward with this proposal, while the process of reforming the law has been delayed. The development of a national plan of action on ending child marriage has also been delayed and is not complete at the time of writing.

This report aims to support the commitments Bangladesh's government has made to ending child marriage by documenting the experiences and insights of child brides and their family members. Human Rights Watch interviewed 114 people for the report in late 2014. The majority of those interviewed were girls and women who experienced child marriage first hand. Their experiences highlight some successes in reducing child marriage in Bangladesh, but also many areas where the Bangladesh government can and should do more.

The legal age of marriage in Bangladesh is currently 18 for women and 21 for men. Bangladesh's Child Marriage Restraint Act (CMRA), first passed in 1929

and subsequently amended several times, makes it a criminal offense to marry or facilitate the marriage of a girl under 18 or a man or boy under 21, but the law has rarely been enforced and is widely ignored.

When asked about how they had made decisions about when their daughters should marry, families interviewed for this report talked again and again about poverty. Girls described parents deciding to marry them off simply because the family was going hungry. Many families also linked poverty, education and child marriage, saying that they arranged a marriage for their daughter because they were too poor to keep her in school. Many of the families interviewed are so poor that even the smallest expense associated with school, for example exam fees which may be as little as US 13 cents, is unaffordable. Social norms and gender discrimination lead parents to view their sons as future economic providers and their daughters as burdens who eventually leave for their marital home—meaning that families are more likely to pull their daughters from school first when money is short. Poverty also prevents boys from attending school. Schools do little to retain students, prevent child marriages, or educate students about sexual and reproductive rights and the fact that child marriage is illegal and harmful.

One of the major factors pushing these families into such desperate poverty is natural disasters. Bangladesh's extreme vulnerability to natural disasters, exacerbated by climate change, and combined with its large population, means that for many poor families their livelihoods, homes, and

land are under threat from flooding, river erosion, cyclones and other disasters.

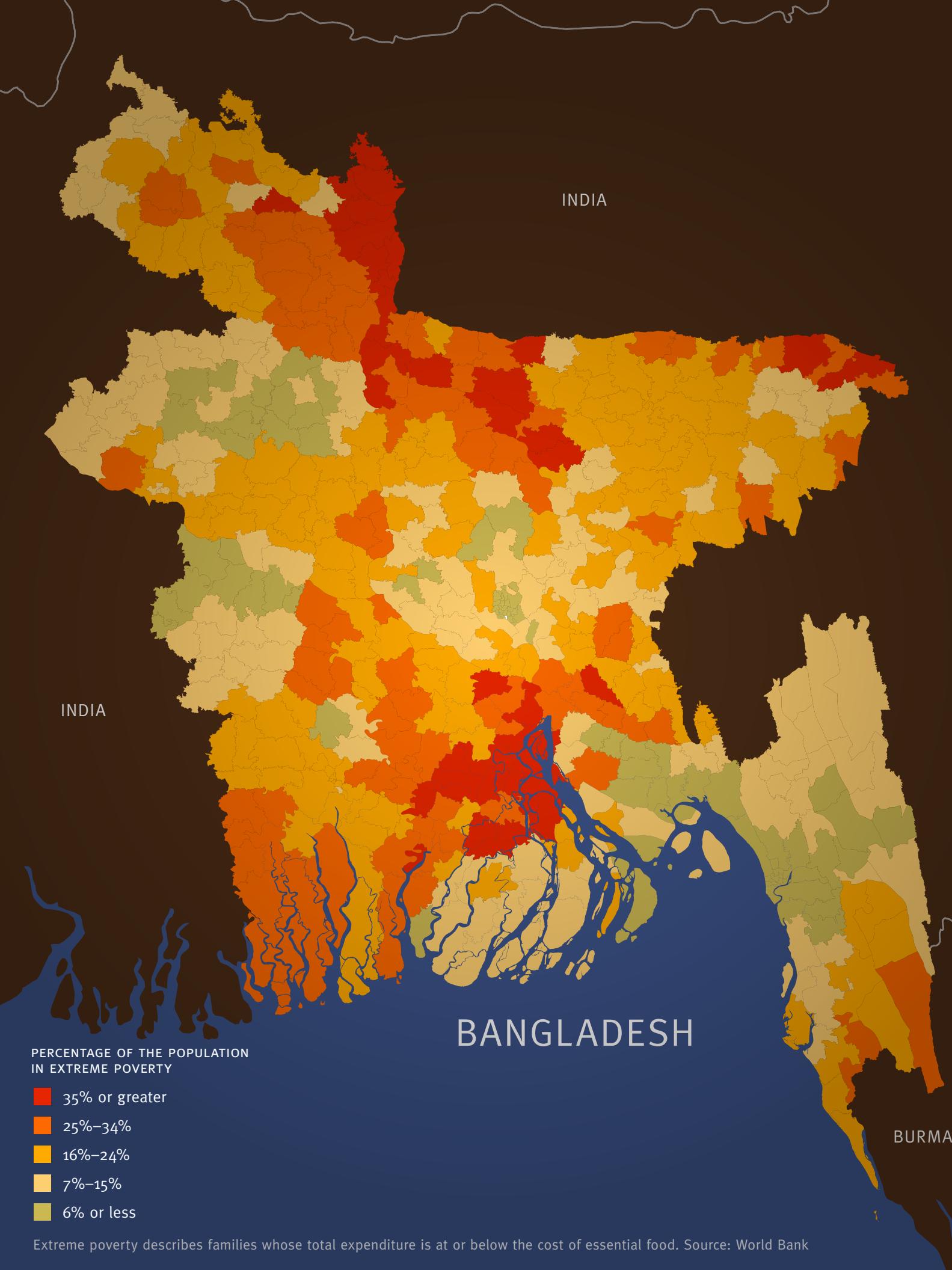
Some families interviewed by Human Rights Watch said they had made decisions about marriage for reasons directly related to natural disasters—some for example rushed to marry off a daughter in anticipation of losing their home to river erosion. Other families described natural disasters as a recurring stress factor, taking food from the family's mouths and making child marriage seem like the best option for a girl and the family.

Harassment and intimidation also played a major role in driving child marriage. Unmarried adolescent girls often face unwanted advances and threats, including the threat of abduction from suitors; and parents, feeling unable to protect their daughters and with no prospect of help from police or local authorities, see marriage as a solution. Families are also influenced by social pressures from neighbors in communities where the onset of puberty in a girl is seen as a signal that it is time for her to marry. The widespread practice of girls' families paying dowry to her groom creates additional pressure, as dowry tends to be lower and even avoidable for the youngest of brides. Boys are also the victims of child marriage in Bangladesh, though it is estimated that the rate of child marriage is eleven times higher for girls than boys.

"My life is destroyed," is how one girl described the effect child marriage had on her. Human Rights Watch interviews with married girls

in Bangladesh found they almost always left education permanently. They became pregnant early, either because they are pressured to or feel that they should, or because they had no access to contraception and information about family planning. Even if they left their husbands or got divorced early, economic and social pressures often keep them from resuming their studies. Some suffered health problems as a result of early pregnancy, and many suffered violence and abuse in their home. Some of the most heart-breaking stories were from girls who had been abandoned or cast out by abusive husbands and in-laws, yet were begging to be taken back, for lack of other options.

The efforts and promises of Bangladesh's government to end child marriage have not translated into adequate action. Reforms like the government's expansion of birth registration are important because if implemented effectively they could play a key role in ending child marriage by allowing accurate verification of a person's age to determine if they are old enough to legally marry. However, Human Rights Watch's research shows that local officials routinely take bribes to provide false birth certificates in order to facilitate child marriages. The government has taken important strides in facilitating access to education by banning primary level school fees. However, other costs associated with attending school mean that education remains out of reach for too many children, and for girls the consequence of lack of access to education can be child marriage. Government agencies providing assistance to families in poverty or affected by disasters should



be more directly involved in preventing child marriage. Bangladesh's law on child marriage should be reformed, but even more importantly it should be fully enforced.

International law prohibiting gender discrimination requires that the age of marriage be the same for both women and men, and evolving international standards set 18 as the minimum age. Setting a higher age of marriage for men, even when the minimum age of marriage for women is 18, is a harmful form of gender discrimination which reinforces social norms about older men marrying younger girls. International law also provides every individual the right to freely choose whether and whom to marry and to defer marriage until she or he has reached sufficient age to be capable of free and full consent. Bangladesh's obligations under international law also compel it to protect its peoples' rights to education and health and to be free from physical, mental and sexual violence.

In many of the villages Human Rights Watch visited in the course of researching this report child marriage is not only socially acceptable but also expected. As long as the government looks the other way, or even facilitates child marriage, for example when local government officials provide forged birth certificates, marrying off young daughters will be a survival strategy for parents who feel unable to care for their children or fear the consequences of strong social stigma against unmarried girls. The stories in this report explain the hard choices families face, and the ways in which the government is failing to prevent child marriage.

The Bangladesh government's high-level political commitment to end child marriage is a positive step. But it will not achieve its targets unless child marriage becomes a permanent priority for all parts of the government and is backed up by effective legislation, policies, and programs.

*The names of interviewees quoted below are pseudonyms.

Sharmin, age 16, holds her one-and-a-half year-old daughter. She was married when she was 14 years old. Her husband sent her back to live with her parents. He no longer supports Sharmin or her daughter, but occasionally visits them. April 2, 2015.
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POVERTY



Poverty was the factor most commonly cited by girls and family members as driving decisions to have girls marry when they were still children. Many of the families Human Rights Watch interviewed were living in such extreme poverty that the family simply did not have enough to eat and they arranged marriages for their daughters to have one less mouth to feed and in hopes that their daughter would be better fed in the home of her in-laws. Almost none of the extremely poor families interviewed by Human Rights Watch had received assistance from government aid programs.

Families interviewed by Human Rights Watch who were unable to make ends meet often saw girls as a burden. This view is linked to discriminatory gender roles in Bangladesh, as daughters are expected to go to live with their husband's family as soon as they marry, while sons typically remain living with and helping to support their parents. This means parents are less willing to "invest" in a girl—when parents cannot afford to feed or educate all of their children, it is usually girls' futures that are sacrificed first.

"We were very poor – sometimes we would eat every two or three days," Lucky C., married at 15, said. "Even though they really wanted all three of their daughters to study it wasn't possible, so they got me married."



Faizunnesah (left) and Moin Uddin (right) are the parents of 16-year-old Sharmin, who was married at the age of 14, and has a one-and-a-half-year-old daughter. Sharmin's parents said they lost their home five times due to river erosion, and received no compensation or assistance from the government. They have six children. Two of their daughters were married as children and then abandoned by their husbands and had to come back to live with their parents. April 2, 2015.

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NATURAL DISASTERS

Natural disasters in Bangladesh, and the lack of an adequate government safety net for families affected by them, compound the poverty that drives child marriage. Bangladesh's geo-physical location makes it prone to frequent and sometimes extreme natural disasters, including cyclones, floods, river bank erosion, and earthquakes, which cause widespread loss of life and property damage.

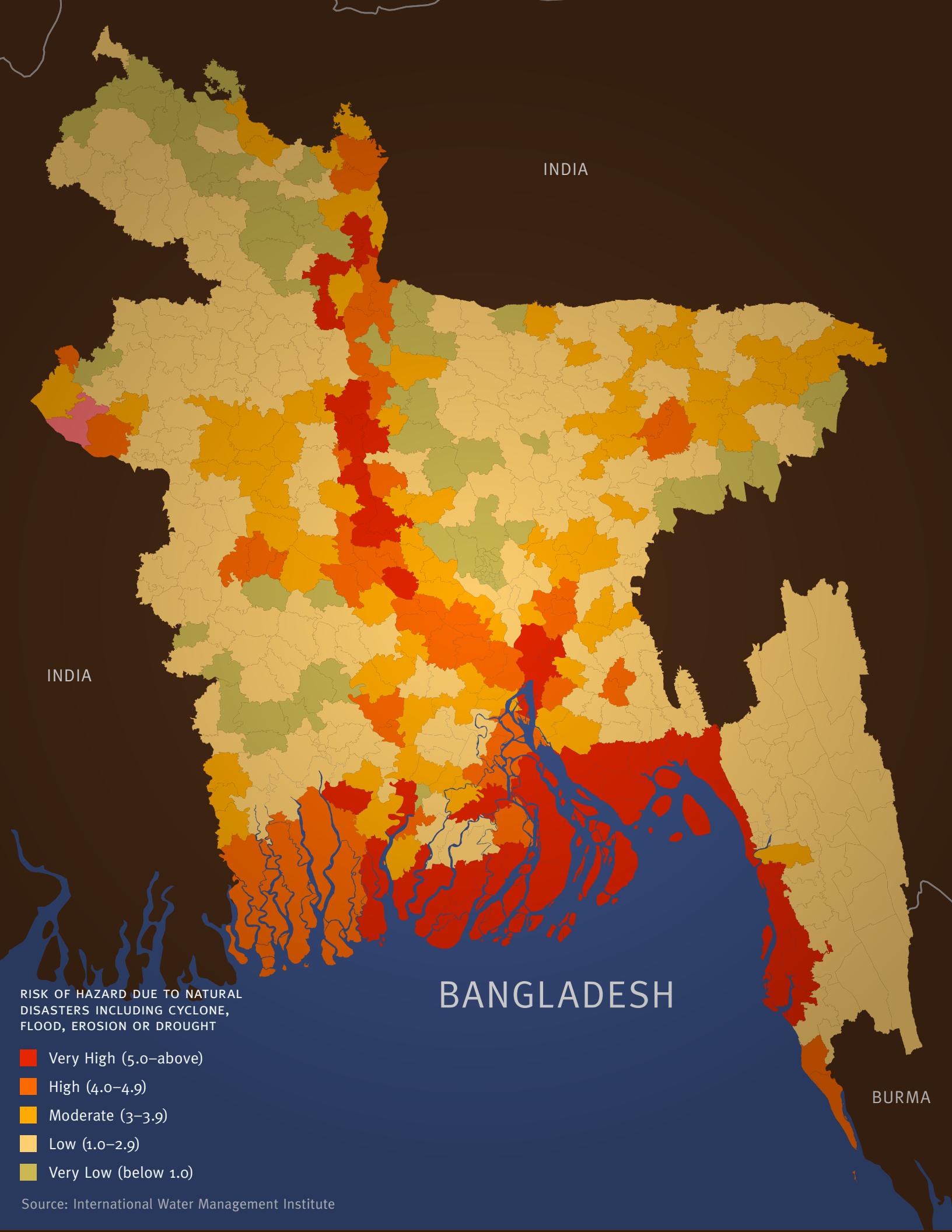
“Because of river erosion people think girls are a burden for their family, so if someone wants to marry a girl they don’t wait,” an NGO worker explained. “Families think that if their house goes they’ll have to go to another place and it will take time to get established and find a husband and meanwhile the girl is getting older and dowry is going up.”

Parvin, married at age 11, stands next to her mother’s house, which they fear will be washed away by river erosion before the end of the year. Her husband lives with her and her family, but has been away for a few months looking for work. March 30, 2015.
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People living in a village affected by river erosion stand on the east bank of the Meghna River. River erosion destroys many families' houses and land. Some girls said concerns about erosion had prompted their parents to marry them before the family was affected by erosion. April 3, 2015.
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Human Rights Watch found that families' anticipation of losing their land and homes to river erosion contributed directly to decisions by some families to marry their girls at young ages. Many families also struggled with frequent flooding which destroyed their crops, sometimes several times a year, creating a constant battle for survival for many poor families. Regular flooding keeps families extremely poor and drives decisions about schooling and marriages for their children.

"This is a place affected by river erosion," Azima B.'s parents told her, explaining why she had to marry at age 13. "If the river takes our house it will be hard for you to get married so it's better if you get married now."

Azima said that people in the community had been "shaming her" for still being unmarried because she is tall and looks old for her age. "I protested a lot to my parents but they said it is a shame for us to keep you in the house. I wanted to continue my education, but my mother said your father has fixed your marriage and if you don't listen to your father, people will say what kind of girl is that who doesn't listen to her father?"

Azima said, "I am the oldest and only after I get married can [my sisters] think about getting married. If the river takes the house it will be hard for them to get married." Azima's sisters are ages 12, 10, and 8 years old; her parents are now considering a marriage for the 12-year-old.

Azima married a 17-year-old boy three days after his parents decided she was an acceptable bride.

"They've already asked me to have children," Azima, now age 14, said of her in-laws. "I live in their house—I have to keep them happy. My husband has also asked me to have children. I said I wanted to wait for two years, but they said no, you should have children now. So I guess I will have to have children now."

EDUCATION

There is a strong connection between access to education and child marriage in Bangladesh. Many of the girls interviewed by Human Rights Watch explained that they were married as soon as their families could no longer afford to educate them. Access to education is a struggle for all poor children in Bangladesh, but gender discrimination means that girls face specific obstacles. Parents often see their daughters as a burden because girls will leave the family when they marry and go to live with their husband's family. This may result in families with limited means prioritizing education for their sons over education for their daughters, particularly at the secondary level and higher.

One of Bangladesh's greatest development successes is the increase in enrollment of both boys and girls in primary education. By secondary school, however, attendance rates have fallen and the drop-out rate by grade five is about 50 percent. Even for children who are in grades or schools where there are no tuition fees, there are associated costs for exam fees, supplies, and uniforms. For many of the poor families interviewed by Human Rights Watch, even the smallest associated costs put education out of reach of their children.

"My parents thought they would marry the girls off so at least they could afford to send the son to school," said Bibi M., who left school and was married at age 14 to a 23 or 24-year-old man.

A private girls' high school subsidized by the Bangladesh government, with 300 students. 25-35 percent of the school's female students drop out before graduation due to child marriage. In the first three months of 2015, three girls left this school to marry as children. April 1, 2015.
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“We had to get her married to save our respect,” Dipanjali B. said, explaining why she arranged her daughter’s marriage at 17. “She was very pretty and people were threatening to kidnap her and every time she went to school she was harassed.”

A community meeting brings villagers together to discuss the issue of child marriage. March 30, 2015.
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SOCIAL PRESSURE AND HARASSMENT



In communities where child marriage is the norm, many girls and parents cited social pressure as a key factor driving child marriage. Human Rights Watch found strong social pressures to get girls married, in part to prevent them from having a romantic or sexual relationship before marriage. There is also great stigma attached to “love marriages.” The importance attached to a girl’s reputation and the fragility of that reputation means that a girl’s future can easily be damaged simply by rumors.

A significant minority of women and girls told Human Rights Watch that their parents had tried to resist marrying them as children but had later agreed to marriages as a result of harassment or threats, including threats of abduction, or even assault. Families facing these threats felt that they had little or no ability to obtain help and protection from police or other local government officials, even when the behavior clearly constituted a crime.

While NGOs have reached some communities with awareness raising efforts about the risks of child marriage, such efforts by the government are noticeably absent. Attempts by some government officials and police to make communities aware that child marriage is illegal are undermined by community members’ experiences of local government officials frequently facilitating child marriages by providing forged birth certificates in exchange for bribes.

DOWRY

The practice of a bride's family paying a "dowry" to the groom's family, in the form of cash, jewelry, or goods, creates incentives for poor families to marry off their daughters earlier because dowry is lower or may be waived completely for very young brides. It also constitutes a form of gender discrimination that further impoverishes poor families who have daughters, and disputes about dowry payments can lead to domestic violence against girls and women.

A 1980 law banned the the payment of dowry to the groom's family by the family of the bride. In spite of this, the payment of dowry remains widespread in Bangladesh. So entrenched is the practice of dowry that several parents told Human Rights Watch that they had insisted on paying dowry for their daughter even when it wasn't demanded, believing that the girl would be valued more highly and treated better by her in-laws if she came with a dowry.

"Now she is pretty and young and we can give her away for free. If you bring the police we will have more problems when she gets older." – Ruhana M.'s older brother, arguing for why Ruhana should marry at age 12, after her uncle opposed the marriage. The marriage went forward.

Bibi Mahima, age 17, married at about age 11. After marrying, she was forced to quit school. Bibi said she returned to live with her parents because her husband physically abused her. A local village council will decide whether Bibi will return to her husband's home. March 29, 2015.
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KEY RECOMMENDATIONS

To the Government of Bangladesh

- Comprehensively reform the Child Marriage Restraint Act (CMRA) by the end of 2015. Reform of the CMRA should include:
 - Setting the minimum age of marriage at 18 for men and women with no exceptions.
 - Expanding measures to prevent child marriage.
 - Providing assistance to married children and adults who married as children.
- As per the prime minister's commitment at the July 2014 London Girl Summit, produce a national plan of action to end child marriage by 2041, and fully incorporate this plan of action into the government's seventh five year plan for fiscal years 2016 through 2020. Ensure that the plan is adequately resourced.
- Make marriage registration compulsory for all religions. Create digital records that are accessible throughout the country as proof of marriage.
- Initiate a nationwide awareness campaign against child marriage in a variety of media and in formats accessible to those with disabilities and limited literacy, emphasizing the health risks of early pregnancy, the benefits of girls' education, the law prohibiting child marriage, the consequences for those who break the law, and the mechanism for reporting child marriage and obtaining assistance.
- Eliminate all costs to students and parents for textbooks, education materials, exams, and uniforms for all children in compulsory education, and take steps to alleviate the negative effects of other indirect costs on children from poorer households.
- Coordinate with schools to monitor problems of harassment of female students and intervene to prevent and end harassment, including by contacting law enforcement authorities in cases involving alleged criminal acts.
- Incorporate a detailed module on sexual and reproductive health into the national curriculum as an examinable, independent subject and ensure that it is taught in all schools.
- Investigate all complaints of child marriage promptly, intervene to prevent child marriage whenever possible, and refer for prosecution anyone who has committed a crime under the CMRA, including officials who solemnize child marriages and those who provide forged birth certificates to facilitate child marriages. Establish a mechanism to receive and investigate reports of local government officials providing forged birth certificates. Dismiss and refer for prosecution any officials found to have forged birth certificates.

To International Donors and the United Nations

- Encourage the Bangladesh government to pass a reformed CMRA in 2015 which complies with international law and best practices and sets the minimum age of marriage at 18 years for both women and men with no exceptions.
- Encourage the Bangladesh government to develop a comprehensive national strategy to end child marriage through a broad consultative process, participate in its development, and support its implementation. Integrate strategies to prevent child, early, and forced marriage and to support married girls into assistance programs.



A young couple meets for the first time on their wedding day. Their birth certificates indicated that the groom was several months past his 21st birthday, and the bride was several months past her 18th birthday. Bangladeshi law sets the minimum age of marriage at 18 for women and 21 for men. April 2, 2015
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A girl walks on the shore of the Meghna River. The land surrounding the Meghna River in Laxmipur district is vulnerable to erosion, which destroys homes and land and sometimes prompts parents to marry off young daughters in a rush before the erosion reaches and destroys their homes and livelihoods. April 1, 2015.

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[cover photo] Belkis, 15 years old, holds her one-year-old son in the house where she lives with her mother, two sisters, and one brother. Belkis was married when she was 13 years old to a man who threatened to commit suicide if the family didn't agree to the marriage. After 14 months, her husband sent her home; he no longer financially supports her or the baby. Belkis fears her family's home will be washed away by river erosion by the end of the year. March 30, 2015.

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