

4th cycle of Universal Periodic Review (UPR)

Child Marriage

September 2018-June 2023



Issues Covered

Child Marriage, Child Marriage Restraint Act 2017, Child Marriage Prevention Committee, Monitoring Mechanism, Accountability, Ambiguity in Laws.

Recommending States

Recommendation Nos. 147.53 (Belgium); 147.46 (Denmark); 147.47 (Viet Nam); 147.50 (Gabon)

Situation Analysis

The Ministry of Women and Children Affairs (MoWCA) and UNICEF Bangladesh have jointly launched the National Plan of Action (2018–2030), aiming to end child marriage in the country entirely by 2041. Although the Child Marriage Restraint Rules were issued in 2018 to provide further direction and clarify the Child Marriage Restraint Act 2017, ambiguity still exists in the law as it does not clarify the ‘special provision’ under which child marriage has been validated. The Child Marriage Prevention Committees have been formed at the local level; however, they lack coordination from union level to central level, adequate resources and proper documentation. The committees also lack proper monitoring mechanisms to make them fully active, functional and accountable as duty-bearers.

National Plan of Action

2018–2030

aims to end child marriage
in the country entirely by

2041

National Framework

Legal Framework	Policy Framework
The Constitution of the People's Republic of Bangladesh	National Children Policy 2011
The Children Act 2013	National Action Plan to End Child Marriage 2018-2030
The Child Marriage Restraint Act 2017	
The Child Marriage Restraint Rules 2018	

Challenges

Prevalence of child marriage and the impact of COVID-19

Impact

The "Rapid Analysis of Child Marriage Situation during Covid-19" (18 Sep 2022, *Prothom Alo*) indicates during the Covid-19 period, when most of the support systems were not working and the educational institutions were closed, number of child marriages increased. At least 13,886 girls from 84 upazilas of 21 districts were forced into child marriages from April to October 2020 (12 Mar 2021, *The Daily Star*), 48 percent of whom were aged between 13 and 15 years. According to a recent UNICEF

(3 May 2023, *The Daily Star*) report, published in May 2023, Bangladesh has the highest prevalence of child marriage in South Asia and the eighth highest prevalence in the world. Over 51 percent of young women in Bangladesh were married in childhood.

Challenges remain to reach the global goal of ending child marriage by 2030 due to cultural norms, traditions, poverty, insecurities, gender-based discrimination and an outbreak of COVID-19

'Special Provision' under CMRA 2017

Section 19 of the CMRA 2017 allows child marriage under 'special circumstances', but neither the Act nor the Rules clarifies this provision or define the circumstances, creating scope for further misuse of the law.

The Child Marriage Prevention Committees

Lack of information regarding the roles and responsibilities of the Child Marriage Prevention Committees, insufficient budget, and weak monitoring system contribute to the trend of non-accountability.

Questions

What initiatives has the government taken to ensure child representation in the Child Marriage Prevention Committees at all levels?

What initiatives has the government taken to ensure the accountability and monitoring of the Child Marriage Prevention Committees?

What steps has the government taken to clarify the 'special provision' of the Child Marriage Restraint Act?

What steps have been taken by the government to end harmful practices and gender-based discrimination?

What is the progress in strengthening the government's child marriage monitoring system following the monitoring and evaluation framework adopted in the NAP 2018-2030?

Recommendations

1. Ensure child representation in the Child Marriage Prevention Committees at all levels.
2. Ensure the effectiveness of the Child Marriage Prevention Committees through capacity-building initiatives.
3. Establish a monitoring mechanism to regularly review the status of child marriage in the country and assess the role of the committees.
4. Amend the Child Marriage Restraint Act declaring child marriages 'void ab initio' (illegitimate from the beginning).
5. Amend the Rules to specify the minimum age for marriage under the 'Special Provision' as referred in section 19 of the Act.

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