**Child Marriage Free India** Submission to the UN Secretary General report on progress towards ending child, early and forced marriage (CEFM) worldwide

On 16 Oct 22, 76,000+ courageous women lit a torch and took to streets across 7,600 villages in India sparking the Child Marriage Free India (CMFI) movement. Since then the CMFI through its incredible grassroots change strategy has garnered 49.12 million pledges against child marriages across India, stopped 73,501 child marriages in 2023-24; is exponentially spreading across 400+ districts in India through 190+ NGO partners and thousands of women leaders. Through its twin grassroots interventions - awareness generation and individual legal action to prevent child marriages, it is starting to expand beyond India to South Asia and Africa.

Our submission provides information in relation to the national perspective on child marriage in India.

1. What efforts have been made or are planned to address the recommendations of the latest report of the Secretary-General on the issue of child, early and forced marriage (A/77/282)? Please, provide information, *inter alia*, on measures to:

The Government of India has made numerous commitments to ending child marriages through national policies, laws and programmes. Despite the progress, one in five girls continue to be married as children. Among the boldest intervention, is the civil society initiative **Child Marriage Free India, which aims to eliminate child marriages by reaching a tipping point through the PICKET strategy (policy, investments, convergence, knowledge, ecosystem and technology) in 257 high prevalence districts of India,** i.e. larger than the 23.3% prevalence of child marriage identified by NFHS-5[[1]](#footnote-1)**.**  The intervention strategy is being rolled out to 400+ districts across India to have impact at scale in 2024-2025.

**This targeted intervention by CMFI in the districts with higher child marriage rates than the national average of 23.3% prevalence of child marriage has prevented 59,364 child marriages from taking place by persuading the parents of girls at high risk of child marriage from fixing their marriages, and stopped 14,137 child marriages through legal action including injunctions and orders by child protection authorities protecting more than 73,000 vulnerable girls from a range of human rights violations and abuses.**

* 1. address the root causes of child, early and forced marriage including social norms, gender inequalities and stereotypes;

Understanding that concerted efforts are being made to address the social, economic and cultural root causes of child marriages in India by the Indian government and the NGOs, CMFI focuses on the critical but underprioritised cause of lack of enforcement of laws on child marriages, particularly the Prohibition of Child Marriage Act, 2006, and the allied child protection laws; Protection of Children from Sexual Offences Act 2012 and Juvenile Justice (Care and Protection of Children) Act 2015.

In addition to above, it is important to mention that the age of child as a person below the age of 18 years has been stated in the National Policy for Children, 2013, the Juvenile Justice (Care and Protection of Children) Act, 2015 and the Protection of Children from Sexual Offences (POCSO) Act, 2012. It is significant to note that a child has no legal right to give consent under the POCSO Act or any other law. The age of marriage as per the Prohibition of Child Marriage Act (PCMA), 2006 is 18 years for girls and 21 years for boys. CMFI’s legal interventions through its partners also aided in addressing the mischaracterization of sexual assault cases involving teenagers as 'consensual and romantic relationships', highlighted a concerning trend among law enforcement agencies and courts to trivialize such cases, contrary to the spirit of POCSO Act. POCSO Act and PCMA read together clearly mandate that any sexual activity with a child below 18 years of age is a crime irrespective of whether s/he is married or not. The primary intent of these laws is to protect minors from exploitation and abuse.

* 1. ensure access to education, decent work, social protection, health services, including sexual and reproductive health, for girls and women who are affected or at risk, who are already married or in informal unions, who have fled such a marriage or union, whose marriage has dissolved, and widowed girls or women who were married as girls;

Among adolescent girls (15-19 yrs), 1.7% girls have been first married by the age of 15 yrs during 2019-21 as compared to 11.9% during 2005-06 (comparison based on NFHS -5 and NFHS-3). This marked reduction is indicative of the impact of the Right to Free and Compulsory Education Act, 2009, which provides for free and compulsory education for children under 14 yrs in India. Significant reduction have been observed in the level of age at first marriage for women in the 25-29 yrs age cohort. 52.8% women were first married by the age of 20 yrs during 2019-21 compared to 71.4% in 2005-06[[2]](#footnote-2).

Child marriages, and adolescent pregnancies and motherhood cause irreparable health consequences including mother and child mortality. Adolescent girls are being reached with social, health and financial assets through the Scheme for Adolescent Girls (SAG)[[3]](#footnote-3) and with rights-based adolescent friendly health services.

* 1. guarantee protection measures, remedies and support services for victims;

Critical to ending CEFM is guaranteeing protection under legal systems for girls who are at imminent risk of being married or who are already married.

In the year 2023 itself, CMFI stopped more than 73,000 child marriages in India, 59,364 cases of child marriages prevented by convincing the parents to stop the imminent marriage of their girls. And, 14,137 child marriages were stopped by legal action including registering complaints under the PCMA 2006.

CMFI through its partners like India Child Protection, Shakti Vahini, Bachpan Bachao Andolan and others provided capacity building support to various departments on legislation related to the safety and protection of girls and women, it also built capacity of 116 NGOs working on child protection legislations, rights of survivors of gender based violence, counselling skills, and psychosocial support in general, and in providing legal assistances to child victims of sexual abuse including child marriages.

1. What **prevention mechanisms** have proved effective to eradicate child, early and forced marriage? Please include examples of promising practices and challenges encountered on engaging family members, religious, traditional and community leaders, in raising awareness about, and countering child, early and forced marriage.

Across 28 states and union territories of India and incredible 49.12 million people made personal pledges against child marriage through CMFI’s work in October and November 2023. These were a mixture of girls and boys at risk of child marriage in the future as well as parents, other family members traditional and community leaders. An innovative approach based on a network of district mobilisation of school and panchayats, saw local events in 455,348 villages and 616 of the 806 districts of India in late 2023.

This was the largest awareness raising campaign in India in 2023 to eliminate child marriage and one of the largest ever mobilisations anywhere in the world. Over 53 different state agencies took part and the plan is to mobilise further next October.

Follow up on these pledges included specific monitoring and response actions during May 2024 during the days traditionally auspicious for marriages (Akshaya Tritiya), the **CMFI prevented 9,191 child marriages.**

Early anecdotal evidence is very strong, and CMFI is working to follow-up on the marriages prevented and the personal pledges through village level actions for robust evidences to understand how effective the young people and parent pledging process has been in protecting the young people away from child marriage.

Injunction orders by courts to stop child marriages is another useful tool used by CMFI partners under the Prohibition of Child Marriage Act, 2006. Through this provision, anybody can approach a Judicial Magistrate to issue an injunction order where a marriage is planned and is about to take place. As per the law, if the marriage still takes place despite the injunction orders then it is considered null and void. The law also provides for the issuance of interim injunction orders in cases of urgency. This has been successfully used by CMFI partners along with orders by the Child Welfare Committee (CWC) to protect children in need of care and protection (including those at imminent risk of marriages). Using these legal interventions **14,137 child marriages** were stopped by CMFI.

Community action through undertakings by families in the presence of village council members or child marriage prohibition officers also supported prevention efforts**.**

1. What kind **of approaches and tools have been used to collect disaggregated data** on child, early and forced marriages, as well as informal unions?

CMFI supports the Indian government’s concerted efforts towards strengthening data collection and management systems in the country as current systems only allow sex-disaggregated data and there is a need for data disaggregated by disability, caste, and other socio-economic factors for more effective programme implementation.

Building convergence among all schemes and programmes geared towards the protection of children, including their education and health is critical to ending child marriages. CMFI recommends the creation of district level task forces to ensure convergence between various departments and among schemes. CMFI and partners support village level institutions by capacity building and strengthening of village level child protection committees on health, education and protection of children.

While CMFI would not yet know the impact on the national study cohort of 18-24 year old women married before 18 year, for a number of years so we are doing the randomised sample follow up previously mentioned which as well as independently assessing impact will also collect greater disaggregated data than is possible at the moment of pledging.

1. Have **digital technologies and tools been used** to address child, early and forced marriage? If so, please share promising practices, challenges and possible solutions.

Originally developed to improve attendance and ensure parents are aware of absences, this monitoring has proven to be useful for identifying children at risk of child marriage In Tamil Nadu, schools are harnessing the potential of attendance monitoring to combat child marriages in the state. The state government has been using the technology to enable real-time attendance data of students in government schools as a tool to work on child protection. Based on data captured in the attendance monitoring app, the school management sends SMS to parents of the child who is absent for two days. In case the child is absent for more than 2 days, the Welfare and Education Assistant at the village secretariat and ward secretariat level is alerted. The NGO coordinators’, being members of the School Management Committees, are aware of the children who are absent and may be in vulnerable situations. The attendance app has made schools the resource centre through which school authorities, government officials and NGO activists are able to identify vulnerable children and made necessary interventions to prevent child marriages of girls at imminent risk of marriage. This attendance app is an example of active prevention of child marriages, and has potential for national adaptation.

1. What **other innovative strategies**have been used to address child, early and forced marriage, as well as informal unions and collect data on this practice in your country?

CMFI adopts the PICKET strategy (policy, investments, convergence, knowledge, ecosystem and technology) to combat child marriages in India by amplifying action to ensure the country reaches the tipping point in a sustained, calibrated and scaled manner, and has the potential to prevent up to 30 million girls from being married as children by 2030.

The singular significance of education to support children’s rights and child protection, means that the Right to Free and Compulsory Education, 2009 must be amended to provide free education till age 18 years (up to Grade 12) for all children. Incentives in the form of conditional cash transfers have shown impact in communities to keep girls in schools delaying marriage decisions. Universalisation of these schemes to at-risk families has the potential to stop child marriages and trafficking and abuse of girls for both labour and sexual exploitation.

The centrality of the Child Marriage Prohibition Officers (CMPOs) for prohibiting and preventing child marriages is crucial, and therefore, across all districts in India, the CMPOs must be notified by the administration. Along with their notifications, special capacity building drives will support their skills and motivation.

Under the CMFI Campaign, NGOs use innovative techniques to attract the attention of communities and engage them in conversations on child marriages, including engagement with religious leaders and actions at places of worship. Banners and public interest signage were put outside places of worship to garner public attention and as information tools.

1. National Family Health Survey (NFHS) is conducted by the Ministry of Health and Family Welfare. It reflects the population, health, and nutrition indicators of India and its states/union territories [↑](#footnote-ref-1)
2. Youth in India, Ministry of Statistics and Programme Implementation. Government of India, 2022 [↑](#footnote-ref-2)
3. Scheme for Adolescent Girls is a national scheme to ensure self-development and empowerment of adolescent girls by enhancing their health, education and skills. The guidelines to the scheme available at <https://wcd.nic.in/sites/default/files/letter%20and%20guideline_0.pdf> [↑](#footnote-ref-3)