

Child marriage in Niger

Context

'Child marriage' refers to a formal or informal union in which at least one of the parties is under 18 years of age. This harmful practice affects Niger more than anywhere in the world; and the rate varies considerably between regions. Despite the efforts of the authorities and partners, the rate of child marriage has barely changed in 20 years. According to the DHS Niger-MICS 2012 surveys, 76% of women aged 20 to 24 were married before the age of 18. One girl in four is married before the age of 15 and the median age at marriage increased from 15.1 years in 1992 to 15.5 years in 2006 then 15.7 years in 2012.

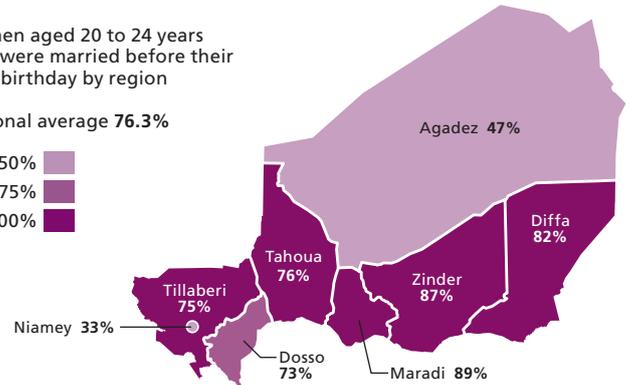
Child marriage affects all areas of society. However, children in rural areas are more affected than those in urban areas; more educated girls are less exposed than those who have had little or no schooling. In addition, the poorer the family is, the more girls are exposed to this practice. The median age of marriage for girls (15.7 years) is around nine years earlier than that for boys (24.6 years), due to social, cultural and economic reasons.²

The fertility rate is directly linked to child marriage. The median age at which women and girls first have sexual relations is almost

Regional distribution of child marriage in Niger¹

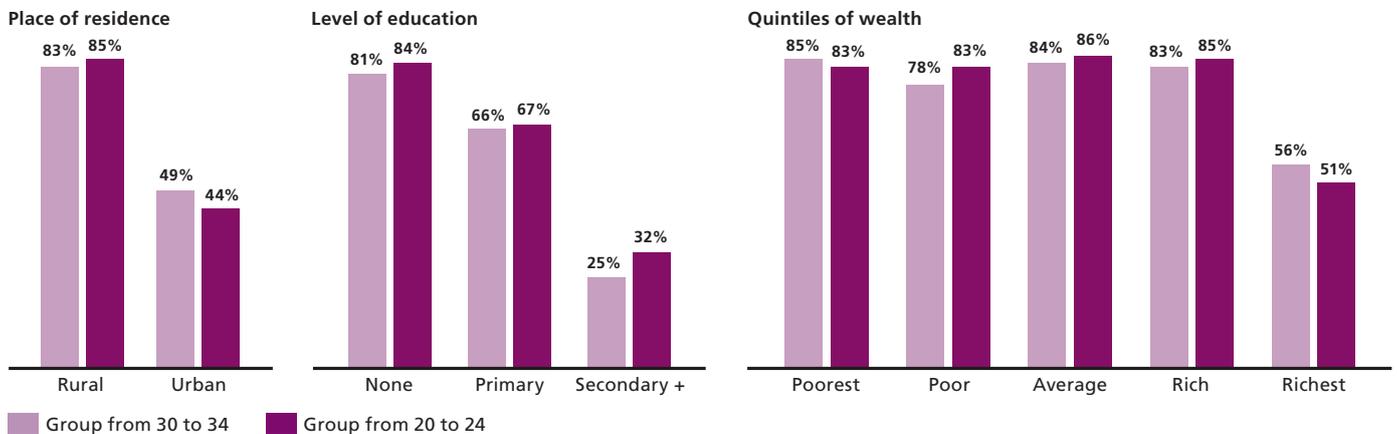
Women aged 20 to 24 years who were married before their 18th birthday by region

National average 76.3%



the same as the age of first union. The median age at first birth has barely changed since 1992, remaining at around 18 years. As a result, the fertility of adolescents aged 15 to 19 years remains high (see graph below).

Demographic characteristics of adolescents married before the age of 18³



Determinants of child marriage

Legal factors

In Niger, family law has several sources: the Civil Code, customs and international legal instruments. The Civil Code sets the minimum age of marriage at 18 years for boys and 15 years for girls, but the majority of unions take place under customary law. An amendment to the Civil Code to raise the minimum age of marriage for girls to 18 would be an important step, but on its own is not sufficient to drive true behavioural change. Furthermore, there is a legal vacuum concerning sanctions that can be imposed in the event of marriage before the legal age. Judges have no means with which to annul a marriage if a girl takes legal action.

The availability and quality of public services

Despite efforts made by the government to promote education in Niger, resource constraints limit the creation of infrastructure and the recruitment of competent teachers. The content and language of public education are not adapted to local realities. This results in poor pupil performance and dissatisfaction with the education system for parents and pupils. The environment for girls who reach secondary school is not sufficiently safe. These factors lead many children (girls and boys) to drop out of school, or to be excluded due to poor results. This widespread school drop-out is considered as one of the determinants of marriage, particularly for adolescent girls who have limited alternative options.

Birth registration is also an unresolved issue that needs to be tackled as part of the efforts to end child marriage. Registration is needed to increase accessibility to public services and it is also necessary to raise awareness of their use.

Due to poor access to quality antenatal consultations, delivery and family planning, people lack access to information about maternal health for young mothers and the risks of early pregnancy. There is also a lack of awareness about the risks to both mother and child of poor nutrition in early pregnancy.

Sociocultural factors

Child marriage in Niger is also linked to gender inequality and the status of women in society. Indeed, marrying girls when they reach puberty is a strategy to prevent pregnancy outside marriage, which is viewed as a source of shame for the family. A key issue to be addressed in campaigns seeking behavioural change, and at the centre of debate in Niger, concerns alternatives for protecting young girls so that families do not resort to child marriage.

Marriage is valued by many communities because it confers social status to women, who are viewed primarily as wives and mothers. Many families prefer to invest in their sons' education or training rather than their daughters, as they feel there is no need for schooling to be a mother or wife. Furthermore, the majority of parents perceive school as a place of risk for

adolescent girls. A girl who marries at an age that is perceived to be too late is often not viewed favourably.

Child marriage is also often viewed as a means of reducing the financial burden for parents with modest incomes, and can be perceived as a source of income. In the absence of a social protection system, marriage, including for girls, is a strategy of economic survival (strengthening solidarity between families, and care of ageing parents, etc.).

In Niger, 18.6% of girls aged between 15 and 19 years are engaged in a polygamous marriage,⁴ which increases their vulnerability.

Pressure groups and influential people resistant to change

Certain Islamic associations and influential people are opposed to legislative changes that would offer greater protection against child marriage, on the basis of religion and traditions. Many politicians and lawyers are themselves influenced by culture, norms, prejudices and taboos surrounding child marriage, and can be susceptible to the influence of religious pressure groups, limiting opportunities for legal and policy changes. This resistance has, in the past, hindered important initiatives to combat child marriage, such as the adoption of the family code or a law to protect young girls at school.

Case study



Fadi goes to the secondary school in Yambaré village in the rural district of Gollé in Dosso. She is 15 years old and in 5th grade. Fadi likes school. She works very hard and is top of the class with an average of 12.74 out of 20.

Fadi comes from a poor family, her father is a migrant worker and her mother is a housewife. According to Fadi's mother, in their village, parents do not consider education to be very important; they think that marriage is the best thing that can happen to a daughter.

"I was happy when I was able to go to school!"

Fadi previously attended secondary school in the capital of the district where she lived with her grandmother and was happy to go to school. She wanted to succeed in school and get a job. During the holidays, Fadi returned to her village to her parents' house. In 2014, during the holidays, she noticed that a man was paying regular visits to her parents. She thought that he was coming to visit her father who had returned from a trip.

One day, while Fadi was sweeping the courtyard of the house, she overheard her parents discussing a marriage. To her great surprise, she realised they were talking about her own marriage to this stranger. Later, Fadi understood that the entire village, except her, was aware of this marriage.

Fadi was absolutely against the marriage. She learned that a pupil member of the governing body of the primary school in the village had already informed the school's headteacher who, in turn, decided to speak to the headteacher of Fadi's school. Together, the headteachers came to talk to Fadi's father to persuade him to abandon the marriage.

"I dream of becoming a teacher and of proving to my parents that the most important thing for a girl is education"

The marriage was called off, and Fadi worked even harder than usual in class.

"I would like to form part of the governing body of my school"

Fadi's school plans to put in place a governing body very soon. She would like to be the President so that she can be a part of improving the living conditions of other pupils. Fadi is conscious that it is thanks to the action of the governing body of the school in her village that she herself was able to escape early marriage.

Fadi would like to raise awareness among her fellow female pupils about the importance of education and the dangers of child marriage. She knows that the best way to do this is to study as hard as she can in order to continue to be the best and prove to her parents that they were right to allow her to continue her studies instead of enduring a child marriage.



Consequences of child marriage

Child marriage deprives children of their rights to learn, to survive and to be protected.

On health

18% of women between 20 and 24 years gave birth for the first time before the age of 15. Adolescent mothers are at greater risk:

- Maternal mortality constitutes 35% of all adolescent deaths between ages 15 and 19 (DHS Niger 2012).
- 30% of adolescents aged 15 to 19 are underweight, which is a sign of malnutrition, and in the event of pregnancy represents a risk to themselves and their child.
- 48% of women affected by obstetric fistula suffered for the first time between age 10 and 19.
- Children born from an early pregnancy have a 1.37 times greater risk of dying in the first five years of life than children born to older mothers (DHS Niger – MICS 2012).

On education

Both a cause and consequence of child marriage, lack of access to a quality education impacts on prospects for keeping girls in school. In 2015, the gross enrolment rate in lower secondary education was 34.2%, of which 28.8% were girls compared to 39.9% boys, and the completion rate for lower secondary was 15.9% for girls and 21.7% for boys.⁵

According to a World Bank study, an additional year of education for girls at primary level reduces child marriage by 5.4 percentage points and early pregnancies by 12.6 percentage points.⁶

On the national economy

According to a recent estimate by the World Bank, if child marriage were discontinued, the potential annual global economic benefits could reach more than 500 billion US dollars between now and 2030, due to reductions in fertility and demographic growth. Additional savings of 100 billion US dollars could be made by reducing the number of deaths and acute malnutrition among young children. In Niger, the population could have fallen by 5.4% between now and 2030 if child marriage and early pregnancies had been eradicated in 2014.

There is a strong correlation between education, particularly for girls, and the economic performance of a country. Studies have shown that investing in girls' education contributes significantly to global socio-economic development through lowering fertility, improving nutritional status, increasing productivity, and improving health and education.

On demographics

Child marriage is impacting on the rapidly growing population of Niger which impedes efforts by the authorities to improve access to quality social services, particularly in education and health. Adolescents aged between 15 and 19 contribute between 10% and 14% of the general fertility level of the country.⁷

National response

The Nigerien authorities have taken positive actions to address child marriage during recent years. For example:

- Niger has ratified the majority of international agreements relating to the rights of women and children. However, the Convention on the Elimination of all Forms of Discrimination Against Women is subject to significant reservations. And the question of the implementation of, and compliance with, national laws remains an issue.
- National policies and strategies attempt to address certain aspects of child marriage. These include the National Policy on Nutritional Security, which addresses early pregnancy, the National Gender Policy and the National Strategy for the Prevention and Management of Gender-based Violence and its action plan (Ministry for the Advancement of Women and Child Protection, 2017), of which one of the strategic pillars addresses child marriage and includes an action plan for the reduction of early pregnancies. To date, there is not however an action plan that specifically addresses child marriage in a holistic way.
- In December 2014, Niger launched the African Union campaign to end child marriage on the theme of obstetric fistula. A First Ladies' Forum on obstetric fistula was held in October 2017 in Niamey.
- In 2016, in order to guarantee the participation and support of all Nigerien and international actors, the Ministry for the Advancement of Women and Child Protection established a committee to coordinate national action to end child marriage. This excellent initiative must however be revitalised for it to be sustained.
- In 2017, a roundtable with different ministries, civil society and financial and technical partners from the education sector agreed on ten commitments to support education and keep young girls in school.

However, the Committee on the Elimination of all forms of Discrimination Against Women (CEDAW) highlighted, in its final observations of August 2017, the link between child marriage, the high rate of infant mortality, and the disproportional rates of illiteracy and poverty among Nigerien women. This committee suggests making additional efforts to put an end to this situation such as:

- lifting the reservations that have been put on essential articles of international treaties such as CEDAW;
- developing and allocating sufficient resources for the implementation of a national plan to combat these harmful practices, including a media campaign and communication plan as well as a national education programme on the impacts of child marriage;
- taking the necessary measures to guarantee the return to school of child mothers, including the repeal of decision no.65/MEN/DEST/EX of 10 July 1998 which permanently excludes girls who marry and temporarily excludes those who become pregnant;
- documenting cases of violence towards girls, and particularly cases of forced and early marriages, during emergencies.

More generally, the Committee on the Rights of the Child, a body formed of independent experts which oversees the implementation of the Convention on the Rights of the Child, has urged party States to review the age of majority if it is less than 18 years.

Progress towards the achievement of Sustainable Development Goal 5.3.1

African Union campaign: launched in June 2014

SDG goal to eliminate child marriage by 2030

On track to achieve the target: **No**

Child marriage rates remain practically unchanged, falling from 76.6% to 76.3% between 1998 and 2012. Niger needs to significantly increase the rate of progress to meet the SDG target.

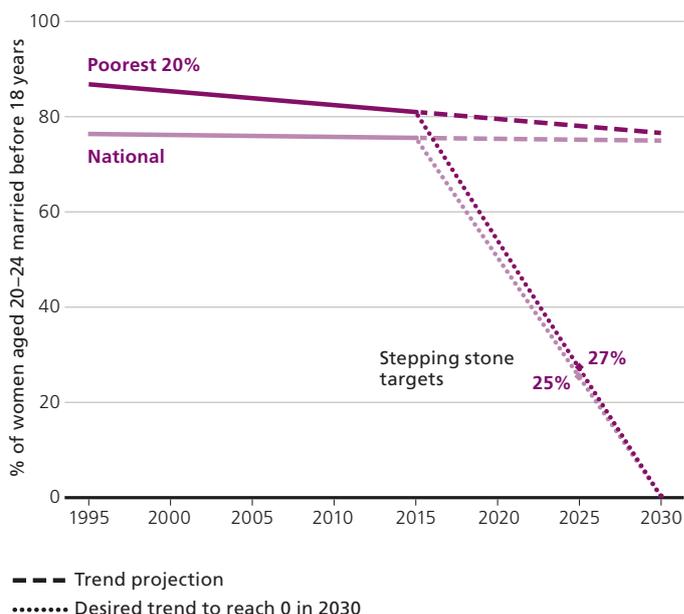
In the SDG framework, governments have committed to **leave no one behind**. That means that child marriage must end for all segments of society and that the furthest behind must be reached first.

To achieve these commitments, the authorities must set stepping stone targets for groups with the highest rates of child marriage. By 2025, the child marriage rate should be:

- **27% for the most disadvantaged economic group** (instead of 60% if the current trend persists)
- **28% for girls in rural areas** (instead of 82% if the current trend persists).

Efforts to put an end to child marriage must be combined with efforts to address early pregnancies.

Trends for child marriage in Niger



Recommendations

- Revitalise the national coordination committee to end child marriage in order to accelerate the development of an action plan and to promote dialogue and coordination of actions between the parties concerned (state authorities, opinion leaders, humanitarian and development actors, civil society, girls and boys, communities).
- Develop, in a participatory and inclusive manner, a national action plan that is operational, holistic, exhaustive, coordinated, budgeted, and considers the cultural and traditional specificities of the regions of Niger to prevent, respond to and eliminate the practice of child marriage, including in humanitarian emergencies.
- Following consultation with all actors concerned, place the revision of the draft law concerning the security of girls in school on the agenda of the parliamentary session of October to December 2017.
- Raise the legal age of marriage for girls in the Nigerien Civil Code from 15 years to 18 years and establish an implementation plan that includes strong communication on the obligation to comply with the traditional laws as set out in the Nigerien Constitution and Article 63 of the organic law on the judicial organisation of the Republic of Niger.

Notes

1 Fenn, N.S., Edmeades, J., Lantos, H., and Onovo, O. (2015) *Child marriage, Adolescent pregnancy and Family formation in West and Central Africa, Patterns, trends and drivers of change*, UNICEF and ICRW.

2 DHS Niger 2012

3 See note 1

4 Human Rights Council, Thirteenth Session, Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Urmila Bhoola 30 July 2015 A/HRC/30/35/Add.1

5 Data drawn from the national gender policy 2017

6 Wodon, Q., Malé, C., Nayihouba, A., Onagoruwa, A., Savadogo, A., Yedan, A., Edmeades, J., Kes, A., John, N., Murithi, L., Steinhaus, M. and Petroni, S. (2017) *Economic Impacts of Child Marriage: Global Synthesis Report*, World Bank and ICRW.

7 See note 2

