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Age of marriage – a position paper



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Age of Marriage: A Position Paper

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1. Introduction

Marriage sets the course of a girl's life in Pakistan. While the age of first marriage overall has been increasing in the country half of Pakistani women are still married by the age of a little over 19 years (19.1 to be exact; PDHS 2007); 13% by the time they are 15 and 40% by age 18. Of the currently married women between 25-29 years of age the median marriage age is 20.3 years.

A direct consequence of young age marriage is early childbirth and greater vulnerability to related complications especially morbidities (like fistula) that do not get reported or counted. According to a UNFPA report "one million babies born to adolescent mothers will not make it to their first birthday. Several hundred thousand more will be dead by age 5."² Half of Pakistani women have had their first birth when barely 22 years old (21.8 years), and 18% women by age 18; about 9% have begun childbearing between 15-19 years and 7% are already mothers in those ages. Women in rural areas have their births almost a year earlier than their urban counterparts. During the course of our work in remote areas it is not uncommon to find menarche as the marker of coming of age for marriage rather than years or physical development. Early age of marriage is also directly correlated with fertility which though showing a declining trend in Pakistan, from 4.8 in 2000 to 4.1 in 2007, is higher (at 4.4%) in rural areas where there is greater incidence of early marriages.

When married at an early age girls are in effect denied opportunities of education and broadening their horizons, are ill prepared for their roles as informed mothers, and inadequately equipped to face livelihoods demands or claim their due rights. It is not surprising that low skilled and underpaid women form the bulk of the informal sector in Pakistan and the potential of almost half of the country's population is not capitalized upon. Equally unsurprising is that women continue to be viewed as (and remain) dependents and are subjected to violence and fear of it.

The correlation between education, age of marriage and reproductive health behaviour is now a well established fact. Education delays marriage and in turn early childbirth. PDHS 2007 shows that women who have gone for higher education entered into marriage later (median age of 24.5 years-- 6 years later than those with no education), those with secondary education had their first birth later (at the median age of 23 compared to

¹ The authors would like to acknowledge inputs made by Ayesha Mir in the paper's first draft.

² *Giving Girls Today and Tomorrow: Breaking the Cycle of Adolescent Pregnancy*. UNFPA, 2007

median age of 21 for those without education) and are ten times less likely to start early childbearing (ones with no education start by age 19). Similarly PDHS 2007 reports a dramatic increase in contraceptive use with women's education – more than secondary educated are twice as likely to use family planning methods, than those with no education (43% vs 25%). Knowledge of HIV-AIDS and its prevention was also found to be higher in women with higher education.

It is obvious from the above that a woman's life has to be seen from the life cycle perspective. Decisions made in early childhood about marriage or education, for instance, have far reaching consequences for the girl who gets deprived of her adolescence but also her children and the country as a whole. There are multiple imperatives driving the decisions: customary practices that in Pakistan vary with locations (rural, urban) and geographical regions, caste, clan and other group identities, poverty, the level of development and accompanying available services (schools and health in particular), access to information and the prevailing laws. Young age/child marriages are a manifestation of deep rooted gender discrimination that gets further perpetuated by the practice.

The focus of this paper is primarily laws that govern the age of marriage in Pakistan in the context of customary practices and poverty. The fact that there are multiple laws applicable is compounded by the lack of knowledge about them among the general population. Hence the urgent need to examine the anomalies between them and develop strategies to address the issue of early age marriage in a composite and effective way.

2. Drivers of under age/child marriages

Amongst the root causes of early marriage are poverty, parental desire to prevent sexual relation before marriage, protection from gender-based violence, the lack of educational or employment opportunities for girls, and customary notions of the primary role of women and girls as wives and mothers. A few of the factors considered more instrumental for early or young age marriages are discussed below.

Customary practices: The custom of under age often referred to as 'child marriage' is prevalent in different parts of Pakistan including the tribal belt with different names like *vani* in Punjab, *sang chati* in Sindh, *swara* in NWFP, and *ljai or khasaniye soor* in Baluchistan. The custom in its various forms is often tied to blood feuds among tribes and clans whereby young girls (as young as under five years) are given in marriage to men regardless of age and current marital status in order to settle feuds. *Vani* may be avoided by payment of cash (*deet*) in lieu of a daughter of the family. However, this opportunity is not available in the case of *swara*, women given under this practice end up as life time slaves and spend their lives paying for the 'crimes' of their male relatives. Despite the illegality of the custom under the law it continues to be practiced. Recently the courts in Pakistan have begun taking serious note as well as action against the practice.

Watta satta, literally means "give and take" that involves bride exchange between two families as a mechanism to prevent mistreatment of daughters but in reality is used as a

mutual threat of reciprocity. While all *watta satta* marriages are not ‘child marriages’ they do result in mis-matched unions and unwanted divorces. This form of marriage is prevalent in nearly all parts of Pakistan.

Vulvar is a practice in which a male suitor pays for the costs of the marriage and the dowry. The money goes to the family head (father or brothers) and is often acts as the bride price and implies the notion of women being seen as a property or commodity. The practice also delays marriages of men because of the lack of the required wealth and results in marriages between older men and younger women.

Pait likkhi literally meaning “written on stomach” whereby two families agree to marry their children before they are born or are still very young. Among other practices related to marriages that reflect discrimination against women is that in Sindh of young boys being made to marry women older than them to protect family property, or that of “marriages with the Quran.” Women end up suffering in the former situation where the boys on growing older remarry and in the latter by remaining unmarried for their entire lives.

Poverty: Poverty is an important factor that contributes to early marriage both directly and indirectly. Poverty in Pakistan is associated with large family sizes and concentrated in rural areas where 80 percent of the poor of the country live.³ Official figures on the basis of head count suggest that poverty in Pakistan has vacillated, falling by 13 percent in 1996-97 increasing in 1998-99 and estimated by 2001-02 to have 34.5% of the population living below the poverty line. Subsequent figures (of 23.9% living below the poverty line in 2004-05 and 22.3% in 2006-07) have been strongly contested, the current situation with inflation, high oil prices, energy crisis and the closure of industries has probably contributed further to exacerbate poverty. In the face of poverty especially when combined with conflict families get young girls married as a measure of transferring the economic burden (evidenced during the conflict in Karachi as well as with the displaced during the earthquake of 2005 and the displaced of Malakand district following the military action against militants). Since a girl’s sexuality is seen to be under threat young age marriage are seen as offering protection for daughters.

Indirectly, poverty prevents parents from sending daughters to school thus depriving them of both, education and possibility of information, instead marrying them off early either on the basis of *watta satta*, or for a higher bride price and setting off the cycle of early age births, frequent pregnancies, and other reproductive and sexual health related vulnerabilities. Although child marriage is seen as a way to escape the cycle of poverty, evidence from other developing countries reveals that it in fact worsens the cycle of intergenerational poverty. However, where income generation by women is seen as a poverty mitigating strategy (particularly in urban areas) early marriage may be delayed because of the incoming earning.⁴

³ Federal Bureau of Statistics, *PSLM FY 2005/06, Government of Pakistan*

⁴ Case studies have shown that the earnings of young girls are often spent on making dowries (*jahez*)

Gender Discrimination: engrained views regarding girls result in discrimination. Not only are there gender stereo-types prescribing what women can or cannot do, of viewing daughters as *amanat* (in safe-keeping) till they go to their marital home which is seen as their real home. The compulsion is therefore to marry daughters young to pass on the responsibility as early as possible. Once married the pressure on young women is to produce a male offspring as soon as possible. Given the premium on male children they are then inclined to have children until one (or more) male progeny arrives.

Just as much as the devaluing of women and the girl children leads to lower investments in their education and health it also results in rendering them powerless and vulnerable. The powerlessness and vulnerability of the child bride leads to further discrimination in the form of domestic violence, marital rape, and deprivation of food, lack of access to information, healthcare, and general impediments to mobility. It is hence not surprising that Pakistan ranks at 124 out of 177 countries in the UN Gender Development Index (2007-08).

Inadequate Implementation of Law: Conflicting laws (discussed in section below) and inadequate implementation can be counted as factors contributing to the failure in ending the practice of under age/child marriages. The existence of other laws (than those specifically related to age of marriage) that discriminate on the basis of sex make the space for under age or young age marriages to continue.

3. Laws related to Age of Marriage

In Pakistan, the legal Age of Marriage is 18 for males and 16 for females with penal sanctions for contracting under-age marriage, however once entered into such unions remain valid. Similarly the penal sanctions for violation of mandatory marriage registration requirements do not invalidate the marriage.

Laws of Pakistan that have implications for child marriage are

- Child Marriage Restraint Act, 1929
- Dissolution of Muslim Marriage Act, 1939
- Muslim Family Laws Ordinance, 1961
- (West Pakistan) Muslim Personal Law (Shariat) Application Act, 1962
- (West Pakistan) Family Courts Act, 1964
- Offence of Zina (Enforcement of Hudood) Ordinance, 1979
- Law of Evidence (Qanun-e-Shahdat) Order 1984
- Enforcement of Sharia Act 1991
- Dowry and Bridal Gifts (Restriction) Act, 1976
- Prohibition (Enforcement of Hudood) Order, 1979
- Offence of Qazf (Enforcement of Hudood) Order, 1979

Some of the offences under Hudood Ordinances were moved to the Criminal Procedure Code of Pakistan (CrPC1898) through the enactment of the Women Protection Act 2006

reducing the victimisation of women through false *zina* (adultery) and *zian-bil-jabr* (rape) cases.

Given that there is no standard definition of when a child becomes an adult in Pakistan there is confusion and ambiguity on the issue. Various laws have differing definitions:

- Under the ***Majority Act, 1875***, the benchmark age of a major in persons domiciled in Pakistan is given at 18 years. Under Section 3 of the Act minority ceases on the completion of eighteen years, unless a guardian of the person or property or both of the minor has been or shall be appointed before the minor has attained the age of eighteen years, or the property of the minor is under the superintendence of a Court of Wards, in which case the age of minority is prolonged until the minor has completed the age of twenty-one years. It may be pertinent to add that when the British promulgated the Majority Act 1875 it materially altered the then existing Mohammadan Law provisions related to the age of majority except in matters relating to marriage, dower and divorce.
- Under the ***Succession Act, 1925***, the age of a major is given at 21 years.
- Under the ***Constitution*** and ***Election Laws*** the age of a major is 18 years regardless of sex whereby the voting age is 18 years and the issuance of National Identity Card/ Citizenship Card is also at this age.
- ***Child Marriage Restraint Act, 1929***, defines a child under definition 2(a) as a male below 18 years and a female below 16 years while under 2(d) a minor is defined as of either sex below the age of 18 years. Sections 4 and 5 of the Act stated that “Whoever, being a male above eighteen years of age, contracts child marriage shall be punishable with simple imprisonment which may extend to one month, or with fine, which may extend to one thousand rupees, or with both.” It however provided that no woman shall be punishable with imprisonment as per Section 6 of the said Act.
- The ***Labour Laws 2002*** fix the minimum age of employment at 14 years
- ***Juvenile Justice System Ordinance 2000*** sets the definition of a child at 18 years of age, raising it from 15 to 16 years in the provincial laws. However, the age of criminal responsibility remains seven years.
- Under ***Hudood Laws, 1979*** a boy at the age of 18 and a girl at the age of 16 or when they attained puberty, whichever is earlier, is defined as a major. The Women Protection Act 2006 failed to amend the age of majority. As such, under this law a girl attaining puberty at the age of 12 or 15 is considered a major.

Given the somewhat anomalous legal situation a girl getting married under the age of 16 years (legal under the FMLO 1961) is in view of the Child Marriage Restraint Act 1929, incompetent to contract a marriage. However, once the marriage has been contracted it

does not become invalid on that score, although the adult husband contracting the marriage or the persons who have solemnized the marriage may be held criminally liable. But if the girl has attained puberty and marries with an adult male of her free will, the marriage is valid under Muslim Family Laws, and the Court acting under Section 491 Criminal Procedure Code may permit the marriage.

In reality, notwithstanding different ages of majority under different laws for different purposes the ones on minimum marriage age are poorly enforced, lack effective punitive measures or are not applied to communities in rural areas. This is because of the co-existence of civil, religious and customary laws/practices without a well-defined hierarchy of laws. The fact that birth registration is neither widely practiced nor records properly maintained makes the task of determining the correct ages of girls at the time of marriage. Huge age difference between males and females at the time of marriage is also widespread.

4. The role of the judiciary

Pakistan has three levels of Federal Courts, three divisions of lower courts and Supreme Judicial Council. District Courts are responsible for civil and criminal jurisdiction and operate in each district of all provinces. The High Court of each province has appellate jurisdiction over the lower courts. Supreme Court has exclusive jurisdiction over disputes between federal and provincial governments, and appellate jurisdiction over High Court decisions. The Federal Shariat Court established by a Presidential Order in 1980 has the remit to examine laws that may be repugnant to the “injunctions of Islam as laid down in the Holy Quran and the Sunnah”. If it finds a law that is repugnant to Islam the court is to provide notice to the level of government concerned specifying the reasons for its decision. The court also has jurisdiction for examining decisions of any criminal court relating to the application of Hudood penalties. The Supreme Court also has a Shariat Appellate Bench empowered to review the decisions of the Federal Shariat Court. The West Pakistan Family Courts Act, 1964, governs the jurisdiction of Family Courts which have exclusive jurisdiction over matters relating to personal status. Appeals from the Family Courts lie with the High Court only.

Historically there have been no measures taken by the state to ensure that marriages are consensual and in many instances the age of a girl will be changed on her marriage certificate in order to avoid questions over her being under age. However, the judiciary has become more active in recent years. In 2002, the Chief Justice of Pakistan declared *vani* and *swara* as un-Islamic and expressed concern over the rising number of such cases. The Chief Justices of High Courts were given instructions to ensure that trial courts do not allow for a woman to be given as compensation. In March 2004, the Law and Justice Commission declared that all individuals who contract a marriage by *vani* and *swara* through a *jirga* or *panchayat* would be liable to rigorous imprisonment. The Commission also came out with a draft amendment to article 366-C of the Pakistan Penal Code that states: “Whosoever takes part in reconciliation or *panchayat* and thereby requires any person to offer or accept, and whosoever offers and accepts in marriage (defined as having reached the age of 16) against her free will or a female child in lieu of

any concession to an accused person, or as a compensation for an act when such an act is an offence under the law, or as a *Badl-i-Sulh* shall be punished with imprisonment of either description for a term which may be extended to ten years and shall be liable to a fine”.

One option that the courts have provided for those married at a young age (below 16 years or at puberty) is that of “option of puberty”. In the judgement on a writ petition (*Mohammad Riaz Vs Rubina Bibi*)⁵ regarding dissolution of marriage contracted when the girl was under age it was established that [the] “Wife was entitled to dissolution of her marriage by exercising option of puberty if she could prove that marriage had taken place before she attained age of sixteen years; that marriage had not been consummated and that she had repudiated marriage before attaining age of eighteen years. Decree of Court was necessary to invalidate marriage which had been dissolved by wife in exercise of her option of puberty”.

In another case (*Ghulam Qadir Vs Family Judge- Murree*)⁶ it was adjudged that “[p]uberty is presumed to have been attained on completion of age of 15 years in the absence of evidence. Provision of Section 2 (vii), Dissolution of Muslim Marriages Act, 1939, does not lay down that female attains puberty at the age of 16 years only, it simply enables a girl to exercise the option of puberty when she attains age of 16 years”. Several other cases affirm the right of a minor girl to annul her marriage unless she “expressly ratifies it [the marriage], say in express words or by cohabiting with the husband, or by asking for her dower or maintenance”.

5. Pakistan’s International Commitments

Pakistan has signed and/or ratified a number of binding international commitments like the UN Convention on the Rights of the Child (CRC) 1990 and CEDAW and non-binding ones like the U.N. Human Rights Charter (1945), the Beijing Declaration (1995) and ICPD (1994) among others that reaffirm faith in fundamental human rights, the equal rights of men and women, etc. Those with direct bearing on age of marriage are discussed here. The two Conventions --CRC and CEDAW -- provide the foundation for addressing the issue of under age/early marriage by removing limitations upon personal freedom.

The Convention on the Rights of the Child (CRC) 1989: The CRC while not addressing the issue of child marriage directly does prohibit States parties from permitting to give validity to a marriage between persons who have not attained their majority. It provides a number of norms and protective measures for children which collectively provide an enabling framework for tackling child marriage. While the CRC defines a child as “below the age of 18 years”, at the same time it allows for a state to legislate for the reduction of the age (of a child) to below 18 years. However, the Convention makes it clear that child marriage undermines a number of rights which are guaranteed under the Convention. Furthermore, it recognizes children’s entitlement to human rights in their own right, thus

⁵ Writ Petition No. 9570 of 1999; Decided by Lahore High Court. Reported in [2000 MLD 1886]

⁶ Decided by the Lahore High Court. Reported in [1988 CLC 113]

making a paradigmatic shift away from the view of the child as dependent on the family, community and the State for privileges to the view of the child as the bearer of legal rights under international law. The Convention also stresses that “the best interest of the child shall be a primary consideration” in all matters concerning children in the public and private arena. Thus child marriage falls within the protective measures outlined in the CRC, potentially providing valuable opportunities to ensure adequate protection of girls and young women from early marriage.

Table 1- Some CRC rights that relate to under age/child marriage⁷

Article 1	A child means every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier.
Article 2	Freedom from discrimination on any grounds, including sex, religion, ethnic or social origin, birth or other status.
Article 3	In all actions concerning children...the best interest of the child shall be a primary consideration.
Article 6	Maximum support for survival and development.
Article 12	The right to express his or her views freely in all matters affecting the child in accordance with age and maturity.
Article 19	The right to protection from all forms of physical or mental violence, injury or abuse, maltreatment or exploitation, including sexual abuse, while in the care of parents, guardian or any other person.
Article 24	The right to health and to access health services; and to be protected from harmful traditional practices.
Article 28 & 29	The right to education on the basis of equal opportunity.
Article 34	The right to protection from all forms of sexual exploitation and sexual abuse.
Article 35	The right to protection from abduction, sale or trafficking.
Article 36	The right to protection from all forms of exploitation prejudicial to any aspect of the child’s welfare.

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW): adopted by the General Assembly of the United Nations in 1979, CEDAW defines discrimination against women, the rights of women, and the State’s responsibility to guarantee those rights. CEDAW is supplemented by a number of General Recommendations.

CEDAW covers public as well as private spheres and argues for the universality of rights including civil and political rights, as well as socio-economic rights like the right to health. A binding treaty, it seeks to enforce women’s legal rights to non-discrimination in

⁷ *Child Marriage and the Law*. UNICEF. N.Y. 2007. p.5

areas ranging from political participation to employment, and to the family. It also focuses on women's reproductive rights and speaks to the importance of insuring women's social and cultural equality by achieving modifications to social and cultural patterns of conduct that lead to stereotyped roles and hierarchies between the genders.

Article 1 of CEDAW defines "discrimination against women" as "any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms." Child marriage clearly discriminates against girls because they are disproportionately affected by the practice, bear the greater health and social burdens and have no say in the marriage decision.

Article 16 of CEDAW is unambiguous on the issue and states that "the betrothal and marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age of marriage." It further recommends the minimum of age of marriage as 18 years for both girls and boys.

The International Human Rights Declaration, 1948: The declaration though non-binding has moral underpinnings as a recognized standard that all members of the UN have agreed to follow. It states that marriage should be "entered only with the 'free and full consent' of the intending spouses" (Article 16). In the majority of child marriages there is an element of coercion involved with parents, guardians or families pressurizing, colluding or forcing children into marriage. Given that girls are socialized into accepting marriage as decided by parents as the norm they give their consent as a duty and sign of respect. However in cases of marriages of girls below 18 years, consent can neither be presumed to be of "free and full consent" nor always to be in the best interest of the child.

In view of Pakistan's poor social indicators and persistently low GDI ranking the likelihood for Pakistan meeting its targets under the Millennium Development Goals remains bleak unless it does not give its female citizens equal rights to opportunities like: education, decision making in relation to marriage, number of children and contraceptives and security from violence and killing in the name of honour.⁸ According to the International Planned Parenthood Federation (IPPF) and the Forum on Marriage and Rights of Women and Girls' publication, *Ending child marriage*, child/young age marriage can have an impact on realizing at least six of the MDGs in meeting priorities set for 2015 (See Table 2)..

⁸ In the year of 2000, leaders of 189 nations gathered at the Millennium Summit, where they agreed on developing a set of 8 Millennium Development Goals (MDGs) aimed at cutting global poverty and hunger in half by 2015, reducing maternal and child deaths, reversing trends of increasing HIV/AIDS, advancing gender equality, and promoting environmentally sustainable development. The Millennium Development Goals (MDGs) have been agreed by UN member states, including Pakistan, as the commonly accepted framework for measuring global progress.

Table: 2- Child marriage impedes the Millennium Development Goals⁹

Goal 1: Eradicate extreme poverty and hunger
Child mothers often have limited skills, education and access to the economic assets and decision making powers necessary to properly nourish their offspring and are therefore likely to perpetuate the cycle of poverty.
Goal 2: Achieve universal primary education
Access to universal education is a right which many girls forced into child marriage are denied.
Goal 3: Promote gender equality and empower women
Eliminating gender inequalities and empowering young women requires access to basic capabilities such as education, health and nutrition, as well as critical social and economic resources and opportunities within an enabling environment. Child marriage disadvantages women and girls and entrenches gender inequalities.
Goal 4: Reduce child mortality
Children of child mothers are more likely to be premature and have low birth weight. Additionally, because child brides are more vulnerable to HIV, there is an increased risk that they will pass their infection to their babies. Delaying child marriage will ultimately reduce child mortality figures.
Goal 5: Improve maternal health
Child mothers have double the chance of dying during or after childbirth, and suffer more from maternal morbidities such as debilitating obstetric fistula.
Goal 6: Combat HIV/AIDS, malaria and other diseases
Marriage is a risk factor in the spread of HIV and other STIs. Child brides who marry older and more sexually experienced men have a heightened risk of contracting HIV. Reducing levels of child marriage should be an essential strategy in attaining targets for reducing the rate of HIV infection among young people aged 15-24.

6. Conclusions and Recommendations

It is clear from the discussion above that under age or young age marriages have a direct bearing on the lives of women, keeping them on the margins, putting their health at risk and stunting their ability to fulfil their potential as human beings and citizens. Early age marriages not only constitute the violation of human rights but also act as a barrier to development. The negative impact and consequences of young age marriage are more than evident from the recent PDHS and Pakistan's GDI (the fact of high GEM ranking due to women's increased participation in politics is on the verge of reversals with the suspension of the local government system). It is also clear from the above that there is a correlation between educational levels and age of marriage and reproductive behaviour and exercise of choices.

⁹ *Ending child marriage : A guide for global policy action.* IPPF, UNFPA, Global Coalition on Women and AIDS. 2006. London. p.15

Pakistan lags in meeting its commitments by not bringing laws in conformity with its international commitments, and not removing the conflict in the age of majority whereby females attain majority at 18 for voting but for marriage are seen as majors at 16 years or puberty. It is equally obvious that the laws as they stand do not provide protection against under age marriages although judgements have provided relief by asserting the option of puberty. More recently *suo moto* actions of the superior judiciary have outlawed giving of women (mostly young) to settle scores or resolve conflicts as also the rulings of informal adjudication forums (*jirgas, panchayats*).

Young age marriages continue due to the combination of poverty, absence of accessible educational facilities, embedded gender discrimination and low value attributed to females. Limited resources and incentives to invest in alternative options for girls often force poor families to marry their daughters early. That this does not necessarily lead to more security for them does not appear to be too much of a matter of concern as they may (and do) suffer from domestic violence, marital rape, and deprivation of food, lack of access to information, healthcare, and controlled mobility in their marital homes.

From the point of view of health and particularly reproductive health young age marriages are harmful to girls and are manifested through early pregnancies, maternal mortality and morbidity and expose them to STIs and HIV-AIDS. The failure to eliminate child marriages also denies girls the right to development.

In order to address the issue of young age and child marriages the following policy ***recommendations*** are being made for government action:

- Remove the anomalies in the law by establishing a minimum of marriage and a uniform age of majority for males and females of 18 years that is in line with Pakistan's international commitments.
- Once established strictly enforce the minimum age of marriage and make offence against it non-cognisable with those responsible for solemnising the marriage and the groom (if adult) liable to punishment with imprisonment (3-5 years) and fine (Rs.20000-25000).
- Implement the ban on practices like *vani* and *swara* and on verdicts of *jirgas* and *panchayats*.
- Registration of all births to be ensured; though required it is not occurring.
- Operationalise the special Women in Distress and Disabilities Fund for free legal aid to women and allocate from within it funds for women forcibly married at young age or as minors. In Sindh the Fund has been converted into "women in prisons" fund and legal aid is being provided to women prisoners and can potentially be used for victims of under age marriages.
- Make educational facilities accessible to girls at primary level and beyond. The PDHS reveals that secondary education enhances the capacity to exercise reproductive choices. While Pakistan has made some headway in primary school enrolment, retaining girls in schools and their going on to secondary level is still not happening.

- Conduct a mass awareness campaign highlighting the negative implications of early marriages.
- Ensure the continued presence of women in governance structures and public life. The local government system had the potential of providing role models for young girls and their families and provided space/opportunities to develop and be better informed.
- Youth and health policies should reflect the issue of young age marriage and Pakistan's commitments related to it.

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