

Vancouver Youth Model United Nations 2019



United Nations Children's Fund Background Guide

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My name is Jenna Lam and I am absolutely delighted to be your director of the United Nations Children's Fund for VYMUN 2019. As your director, I hope to nurture an exciting and educational experience that leads to fruitful self-discovery. This year, we will examine two topics: Combating Online Child Sexual Exploitation and Preventing Child Marriage.

Our first topic, Combating Online Child Sexual Exploitation, requires critical thinking of solutions that are catered to each country's culture and traditions. This issue remains an insurmountable problem in societies across the world. It can target those from all walks of life - no matter the race, socio-economic background, or country the individual is from. The advancement of technology over the past number of decades has radically changed the way abusers choose to exploit children. For this topic, delegates are highly encouraged to discuss and research possible methods on how issues around child sexual abuse can be handled effectively, and how the internet can include preventative measures to protect children against abuse and exploitation.

Our second topic, Preventing Child Marriage is a complex one. The causes of it involve numerous economic, social, and cultural factors which influence behaviour on individuals, communities, and societies. Drivers of child marriage vary from one community to the next, and the practice may look different across regions and countries. Often driven by patriarchal values and gender norms, this topic disproportionately affects girls more than boys. The different catalysts of child marriage: gender inequality, poverty, traditions, and insecurity, require a solution which addresses each of these unique problems. Delegates are encouraged to broadly research and develop new solutions that are more effective than the status quo.

If you have any questions or concerns, please don't hesitate to contact me at unicef@vymun.com. I look forward to seeing everyone in October. Good luck and Godspeed!

Sincerely,
Jenna Lam
Director of UNICEF | VYMUN 2019

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Topic 1: Combating Online Child Sexual Exploitation

Questions to Consider

1. What laws and/or regulations exist in your nation to prevent child sexual exploitation?
2. How did child sexual exploitation change throughout the years with the introduction of technology?
3. How has technology impacted, positively or negatively, issues around child sexual exploitation?
4. What can be done to adjust cultural norms in society that facilitate online child sexual exploitation?

Overview

Throughout history, sexual abuse and exploitation, in all forms, have compromised the ability for a child to live a safe and productive life. Such experiences can affect the emotional and social development of a child, as well as create lifelong consequences emotionally, physically, and psychologically. “Online child sexual exploitation and/or abuse” is defined as the use of information and communication technology with the intent to sexually harm children.¹ These acts are generally committed through the use of bribery, force, mental and/or physical threats and are followed by an exchange of food, drugs, affection, shelter, or money. Moreover, although the meanings of “child sexual exploitation” and “child sexual abuse” share similar features, these two actions are distinct forms of violence. ECPAT International² is an organisation dedicated to the research, advocacy and action of ending child sexual exploitation. They define child sexual exploitation as “the use of a child for sexual purposes in exchange for cash, goods or in-kind favours, which are given to the child and/or to an intermediary that profits from the sexual exploitation of the child”.³ In these cases, a child becomes a sexual object and a commodity. Contrarily, “child sexual abuse” generally pertains to sexually abusive acts between a child and an adult.⁴ Child sexual abuse is an unacceptable breach of fundamental human rights. In the United Nations Convention on the Rights of the Child⁵, children should be protected from sexual abuse and other forms of violence by their country’s governments. Unfortunately, this is not the reality — a study by UNICEF⁶ from 2014 found that 1 in 10 girls have experienced sexual abuse at some point in

¹ www.ecpat.org/wp-content/uploads/2016/04/faq_eng_2008.pdf

² www.ecpat.org/

³ Ibid

⁴ Ibid

⁵ <https://www.ohchr.org/en/professionalinterest/pages/crc.aspx>

⁶ https://www.unicef.org/protection/57929_58006.html

their life. It can happen in homes, institutions, schools and workplaces. According to the World Health Organization, girls are more likely to experience sexual abuse.⁷ Moreover, child maltreatment is more likely to occur in communities with higher rates of poverty and fewer social neighbourhood networks.⁸

In the modern digital age, technological landmarks, such as the internet, digital cameras, and smartphones, have radically altered the way sexual offenders choose to exploit children.⁹ Digital connectivity exposes children to unprotected and dangerous websites and individuals, particularly with popular apps such as Snapchat. Furthermore, offenders are able to connect with their victims anonymously online, making it increasingly difficult to identify and prosecute criminals. Internet grooming, a recent phenomenon, involves the use of Internet chat rooms, social media and other websites. This process may take place over an extended period of time, with the abuser using charm and manipulation in order to coerce a victim into sexual acts. Abusers deliberately search for victims online in an attempt to gain trust within these children and attain their explicit images. The predator will first target vulnerable children — those who are needy, unhappy, unable to speak out against abuse, or have less parental oversight. Over time, the predator will gather information about the child and begin to form a relationship through various dialogues, eventually gaining the child's trust and explicit images of their bodies.¹⁰ The proliferation of social messaging apps in recent years has contributed to a dramatic increase in reports of this crime.¹¹

Furthermore, the occurrences of “sexting” have increased in teenagers, who willingly produce explicit images of themselves. Children in romantic relationships often sext as a means of showing their trust in one another. It can be used as a form of flirting and an incentive to start a relationship. Teenagers may also sext as a way of expressing one’s sexuality. One study from Associated Press¹² found that 1 in 3 youth had engaged in some form of sexting.¹³ An article from the Journal of the American Academy of Psychiatry and the Law¹⁴ stated that youth “often sent [messages] without giving appropriate thought to the content of the images”.¹⁵ These images are widely shared and turn up in the possession of child pornography collectors. A study sample by the United Nations Office on Drugs and Crime found that 88% of self-generated, explicit content is harvested from its original location and uploaded onto a different website.¹⁶ The highly publicized downfall of Anthony

⁷ https://www.who.int/violence_injury_prevention/violence/world_report/factsheets/en/childabusefacts.pdf

⁸ Ibid

⁹ www.ecpat.org/wp-content/uploads/2018/07/ECPAT-International-Report-Trends-in-Online-Child-Sexual-Abuse-Material-2018.pdf

¹⁰ <https://www.bark.us/blog/online-grooming/>

¹¹ www.ecpat.org/what-we-do/online-child-sexual-exploitation/

¹² Not-for-profit US-based news agency

¹³ www.athinline.org/pdfs/MTV-AP_2011_Research_Study-Exec_Summary.pdf

¹⁴ A quarterly academic journal published by the American Academy of Psychiatry and the Law

¹⁵ jaapl.org/content/44/1/73

¹⁶ www.ecpat.org/wp-content/uploads/2018/08/Briefing-Paper-Emerging-Issues-and-Global-Threats-Children-on-line-_06.06.17.pdf

Weiner, a New York Assemblyman, in 2011 for sexting suggestive photos of himself to a teenage girl illustrates how the misuse of technology is not limited to minors.

Photos or videos of child sexual abuse may be recent or from many years ago, but they are copied and repeatedly shared around the globe. In many of these cases, the child's identity is unknown. Having images of one's sexual abuse can take a psychological toll on the victim, compounding the trauma of the original abuse. Survivors may live with the knowledge that someone, somewhere may be happily witnessing their abuse after the fact.¹⁷ Children who have been abused often feel guilty, unworthy of rescue and have low self-esteem. Consequently, victims may gain a distorted or abnormal view of sex and become mistrustful with adults. Depression is the most common long-term symptom among survivors.¹⁸ Victims have difficulty externalizing the abuse, and begin thinking negatively about themselves. Feelings of worthlessness often follow after, and the feeling that they have "nothing to offer" to others makes many survivors socially isolate themselves. Survivors often experience shame, guilt and self-blame. It may be difficult for the children to view the perpetrator in a negative light, especially when the sexual abuse is done by a previously trusted adult. In order to cope, some children attempt suicide, turn to substance abuse, or display self-destructive behavior. Stress and anxiety are also long-term effects of child sexual abuse. Often times, survivors can experience chronic anxiety, tension, anxiety attacks and phobias. A study in 1995 from Rainbeau Northfield Counseling Center compared post-traumatic stress symptoms in Vietnam veterans with adult survivors of childhood sexual abuse. The study revealed that childhood sexual abuse is incredibly traumatizing to the victims and can result in similar symptoms comparable to those from war-related trauma.¹⁹ Lastly, many survivors experience difficulty with establishing interpersonal relationships. According to the American Counseling Association, "Symptoms correlated with childhood sexual abuse may hinder the development and growth of relationships. Common relationship difficulties that survivors may experience are difficulties with trust, fear of intimacy, fear of being different or weird, difficulty establishing interpersonal boundaries, passive behaviors, and getting involved in abusive relationships." A 1996 study paper released in The American Journal of Family Therapy²⁰ examined the relationship between a survivor's ability to adjust in an intimate relationship, depression and the severity level of their childhood abuse. Their study revealed that the higher the severity of childhood abuse, the ability to adjust to intimate relationships decreased. Sexual abuse is most commonly initiated by someone the child loves and trusts, which breaks their confidence in the adult and can result in the child believing the people that love them will eventually hurt them. These factors can result in victims have difficulty reintegrating into society when they become adults.

¹⁷ <http://www.delcochildrensadvocacycenter.org/child-pornography-three-questions/>

¹⁸ https://www.counseling.org/docs/disaster-and-trauma_sexual-abuse/long-term-effects-of-childhood-sexual-abuse.pdf?

¹⁹ <https://psycnet.apa.org/record/1995-37130-001>

²⁰ <https://www.tandfonline.com/doi/abs/10.1080/01926189608251023>

Numerous cultures often encourage or facilitate child sexual abuse due to the nature of their social construct dynamics. Child sexual abuse is deeply rooted in patriarchal norms and practices that are reinforced and reproduced by families, communities and social institutions.²¹ The majority of sex perpetrators tend to be men and victims are mostly girls and women. Disadvantages also exist for certain groups of children who are discriminated against in society, such as migrant children and transgender youth. Sexual abuse is commonly understood as natural and remains unchallenged from the children. This is especially common in young individuals who are pushed into prostitution by their families in an attempt to escape poverty. In the Philippines, the facilitator of explicit child live-streaming are often the parents, who justify the abuse to their children as a “contribution to the family”²², whereby the money received can be used to feed the family. The UNICEF Innocenti Research Centre²³ pointed out that “children in poverty who have access to the Internet appear to be the most vulnerable to forms of online solicitation due to the economic pressure they are facing”.²⁴ In a research paper by ECPAT called *Examining Neglected Elements in Combating Sexual Exploitation of Children*²⁵, “child sex exploiters often choose to exploit a child whose racial, ethnic or class identity is “other” than their own. Racism, xenophobia, and classism often allow exploiters to define “others” as “natural” prostitutes, based on socially constructed conceptions of these groups and, again, historical exploitation and marginalisation of such groups that exclude them from social and legal protections afforded to others.” In some cases, the decision to sexually exploit oneself can be made by the child themselves. Known as “*enjo kosai*” in Japan, numerous adults purchase sexual services directly from children, via mobile phone or the internet.²⁶ This has fueled controversy about the rights to protection for children who are involved in *enjo-kosai*, and whether or not they can be considered victims.

Researchers at UNICEF have begun to organize the wide range of risks encountered online by children into three categories - content, contact and conduct risks.²⁷ Content risks involve a child being exposed to unwelcome and inappropriate content. This can include sexual or pornographic material, for example, receiving an explicit image from a child sexual predator. Contact risks are when a child participates in risky communication. This can include sexual harassment, grooming or ‘sextortion’. For instance, if a child is blackmailed by a sexual predator in order to acquire sexual content or engage in sex with from the child.²⁸ Lastly, conduct risks are described as a child behaving in a way that contributes to risky content or contact. In these cases, the child is either the predator or victim. Child abuse or exploitation, cyberbullying, sexting, production and consumption of child abuse material, live

²¹ https://www.ecpat.org/wp-content/uploads/2016/04/ecpat_journal_jul_2013_eng.pdf

²² Ibid

²³ A research centre in Italy focusing on discovering research to aid UNICEF’s goals

²⁴ Ibid

²⁵ Ibid

²⁶ <http://scalar.usc.edu/works/breakdancers-vocaloids-and-gamers-east-asian-youth-cultures-spring-2015/enjo-kosai>

²⁷ www.unicef.org/publications/files/SOWC_2017_ENG_WEB.pdf

²⁸ <http://www.missingkids.com/theissues/sextortion>

streaming of child sexual abuse, child sex trafficking or child sex tourism are all examples of this.

One challenge of combating online child sexual abuse is the constant evolving nature of digital technology. There are two main platforms that continue to facilitate child sexual abuse material. First, peer-to-peer networks (P2P), which are created when two or more computers are connected and share resources without going through a separate server computer.²⁹ In simple scenarios, this can look like several computers sharing files through a Universal Serial Bus (USB). On a grander scale, special protocols and applications can set up direct connections among users over the Internet. Users on P2P networks such as Gnutella and BitTorrent can bypass centralized servers and download files directly from computers that belong to other individuals in a network. Available files are labeled with a string of key terms that a predator can find in searches. P2P users searching for child pornography often use broad single-word search terms, such as “pedo” (“pedophile”), to maximize the amount of images they can receive.³⁰ The second platform most commonly used is the Dark web. These websites cannot be reached through regular search engines such as Google, Bing or Yahoo - also known as “surface web”. By its very nature, the number of websites on the dark web is impossible to calculate. The Web we are familiar with - Facebook, Wikipedia, news; however, makes up less than 1% of the World Wide Web.³¹ One of the darkest corners of the Internet is called TOR, also known as The Onion Router. It contains a collection of secret websites that require special software to access them. TOR users’ web activity cannot be traced - it runs a relay system that bounces signals among different TOR-enabled computers around the world. Users must have the specific URL address in order to access one of these hidden Dark websites. In the last decade, it has become a hub for black markets that sell or distribute drugs, stolen credit cards, pirated media, firearms and illegal pornography. Anonymous payment systems and cryptocurrencies are often used to conceal payments on the Dark web, causing law enforcement seeking evidence of child abuse to be unable to trace payments back to the buyer and seller.

Effective legislation on child pornography is rare in many countries. In Afghanistan, Yemen and Somalia, for example, legislation specific to child sexual abuse material is nonexistent.³² Without legitimate laws to protect children, national law enforcement authorities have difficulty prosecuting local offenders. The Internet is not restricted by national boundaries; it is the obligation of international police cooperation, coordinated legislation within the international community, and the Information Technology industry to solve the issue surrounding legislation on online child sexual abuse material.

²⁹ <https://www.britannica.com/technology/P2P>

³⁰ <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.363.453&rep=rep1&type=pdf>

³¹ <https://money.cnn.com/2014/03/10/technology/deep-web/index.html>

³² <http://psyfontevraud.free.fr/AARP/psyangevine/Documents-historiques/Tardieu-moeurs.PDF>

Timeline

1867: Publication of the *Étude médico-légale sur les attentats aux moeurs* by Ambroise Tardieu.³³ Known as the first recorded published work dedicated specifically to child abuse, it highlights the child victim's physical and psychological impacts.

1894: Publication of *A System of Legal Medicine* by Allan Hamilton and Lawrence Godkin reports that the “rape of children is the most frequent form of sexual crime”.³⁴

1953: Alfred Kinsey reports in a study of female sexual behaviour that a quarter of girls under 14 have experienced some form of sexual abuse.³⁵

1980s: Second wave feminism rises in Western culture bringing child sexual abuse to the forefront of the general public. Specifically, it raises awareness for young women and the challenges they face across the globe, including reproductive rights, domestic violence and sexual assault.³⁶

1990s: Widespread moral panic features charges against daycare providers over several forms of child abuse. Cases in the United States, Canada, New Zealand, Brazil and various European countries are covered in national news for nearly a decade. Many of these charges end up being dropped due to false accusations and lack of legitimate evidence.

November 1989: The Convention on the Rights of the Child (CRC)³⁷ is adopted and opened for signature. Article 34 and 35 require state parties to protect children from all forms of sexual exploitation and sexual abuse.

1990: Enjo-Kosai, a form of child exploitation practiced in Japan, gains national attention, leading to international awareness.

August 1991: The Internet becomes widely available to the public. Formerly, access to the Internet was limited to mostly computer scientists.³⁸

May 1996: President Bill Clinton passes “Megan’s Law”, an online sex offender registry that requires communities to be notified when a sex offender moves into the neighbourhood.

³³Ibid

³⁴ archive.org/stream/asystemlegalmed01godkgoog#page/n8/mode/2up

³⁵books.google.ca/books?id=9GpBB61LV14C&printsec=frontcover&dq=inauthor:%22Institute+for+Sex+Research%22&hl=en&sa=X&ved=0ahUKEwjAyODcn9vjAhUOvp4KHdRECA8Q6AEIKDAA#v=onepage&q&f=false

³⁶Ibid

³⁷ Ibid

³⁸<https://www.internetsociety.org/internet/history-internet/brief-history-internet/>

October 2007: The Lanzarote Convention is adopted and opened for signature. It establishes specific legislation on prevention efforts and criminalization sexually abusive behaviour towards children.³⁹

November 2008: The Third World Congress against Sexual Exploitation of Children and Adolescents is held in Rio de Janeiro, Brazil. Mr. Yasutoshi Nishimura, Parliamentary Vice-Minister for Foreign Affairs of Japan, states, “New forms of sexual exploitation have occurred due to the development of information technologies and widespread use of the Internet and mobile phones.”⁴⁰

2013: 42 states in the United States consider bills to address youth sexting. Most states agree that there is no legal consensus towards this legislation in the status quo.

October 2012: Amanda Todd, a Canadian teenager, commits suicide after posting a video on YouTube explaining how she had been blackmailed with her own explicit photos by an older online predator.⁴¹

2012: The term ‘sexting’ is added to the Merriam-Webster and Oxford English dictionaries.⁴²

May 2017: An Associated Press (AP) investigation reveals that more than 100 UN peacekeepers ran a child sex ring in Haiti over a period of ten years and none were ever prosecuted. Later, the UN recognizes these 612 claims of sexual abuse by UN peacekeepers. Many victims of these cases were children.

May 2018: UNICEF-backed investigations reveal that UN peacekeepers are sexually exploiting and abusing children as a form of conflict escalation. The UN continues to condemn child abuse and sexual exploitation, calling for an immediate cessation of violent sexual attacks on children, primarily in South Sudan.

February 2019: Pope Francis leads an unprecedented summit on the Catholic Church’s failure to address child sexual abuse. This follows a leaked investigation of the Catholic Church’s actions to hide the sexual abuse by their clergy.⁴³

³⁹ m.coe.int/information-note-the-council-of-europe-convention-on-the-protection-of/16807962a7

⁴⁰ www.mofa.go.jp/policy/human/child/cse.html

⁴¹ www.cbc.ca/news/canada/british-columbia/amanda-todd-anniversary-harassment-1.4347163

⁴² www.bbc.com/news/av/world-us-canada-19267900/sexting-and-f-bomb-added-to-merriam-webster-dictionary

⁴³ <https://www.theatlantic.com/politics/archive/2019/05/catholic-church-sex-abuse-pope-francis/589243/>

Historical Analysis

One of the many major accomplishments of the past quarter century has been the growing acknowledgement of child sexual abuse and its damaging consequences. Unfortunately, child sexual abuse and exploitation are not recent phenomenons. Historical evidence proves these acts existed during the prehistoric period. In the mid to late 1800s, researchers published a report detailing the harms of child abuse, but it virtually received no attention. In 1867, the first recorded research work dedicated specifically to child abuse was published. It emphasized the detrimental psychological and physical impacts that victims often suffered, such as nightmares and anxiety. In the beginning, public concerns about abuse focused on children aged ten or younger. However, in the late nineteenth century, reformers and philanthropists brought awareness to cases of sexual abuse towards children aged eleven to seventeen; despite this, it was difficult to prove these crimes in the courthouses. In the 1920s, many members of the UK government were steadfast in their resistance to acknowledge a power difference between young, working-class girls and older, middle-class men. The lack of recognition resulted in lack of legislature for child sexual abuse during this time and minimal justice for courthouses cases involving young girls accusing men of sexual harassment and abuse.

Physical harm and the defamation of a child's reputation were primary concerns in cases; psychological effects were rarely considered until the 1930s. For much of the twentieth century, sexual abuse of children was regarded as an anomalous act committed by immoral monsters: perverts, predators, pedophiles or sexual fiends. It was not widely believed that people in typical social circles, such as family or friends, could be perpetrators of these crimes. After World War 2, the public centered their attention on broader social anxieties, putting their focus mainly on the entry of women into the workforce. By the 1980s, there was an upsurge of concerns about child sexual abuse, brought into the public eye by incest survivors, silenced post-war children and women, as well as the second-wave feminism movement. In the 1990s, panic began over allegations of sexual abuse in daycare centers. Hundreds of daycare workers across the world were convicted, only to have the prosecution claims overturned in almost every case. This brought the issue of day-care child sexual abuse to light and raised questions about the reliability of young witnesses. In August 2018, a leaked bishops' investigation revealed that thousands of clergymen within the Catholic Church had sexually assaulted children over decades. Church authorities attempted to silence the victims, deflect law enforcement and shield the predators.⁴⁴

The introduction of technology in the 1970s had a profound impact on how we communicate, use our leisure time and learn new information. However, with these new opportunities came unforeseen issues: the Dark web, cyberbullying, and sexting. With the advent of the Internet to the public in 1991, the Dark web became more accessible to many

⁴⁴www.ncronline.org/news/accountability/leaked-german-report-shows-3700-cases-abuse-minors-68-years

users in the following years.⁴⁵ Dark websites containing child pornography, live-streams of nude children, sex-rings and trafficking are still prevalent to this day.

In the past, producing images depicting child sexual abuse required special photography equipment or camera negatives to be developed professionally in a photo lab. Additionally, the distribution was organised primarily through postal services and contact among offenders was more difficult. This posed a high number of risks of criminals being caught. However, with the advancement of digital technology, production of illegal media is simplified by digital cameras and mobile phones, which are widely available at low costs. Without the obstacles that came with printing, this enabled effortless and immediate distribution via the Internet to a wide range of viewers. Storing the images is rarely an issue, as large volumes of them can be stored online in a relatively small physical space. Moreover, through encryption systems, it is easier for offenders to keep these materials away from wary eyes. Photos and videos can also be manipulated using computer programs. This makes the impoundment of child abuse materials more challenging, requiring ongoing and sustained efforts for continuous upgrading of interventions.

Since the birth of cell phones with built-in cameras in 2002, sexting, in all likelihood, followed shortly after. In the next decade, it became common practice among the younger generation, especially as adolescents began obtaining personal cellular devices at increasingly younger ages. The New York Times reported that the average age of first cell phone ownership is 10.3.⁴⁶ Several states in North America have passed laws related to sexting. The majority of this legislation seeks to differentiate between consensual sexting between minors and child pornography, with the punishments ranging from a simple fine to imprisonment.

In the early 2000s, social media websites such as MySpace and Facebook rose in popularity. In turn, the prevalence of cyber-bullying also grew exponentially. It was, and still is, simple for abusers to hide behind a screen and post harmful and, often, degrading content. Cyberbullying within the context of online child exploitation can include sending sexually threatening text messages, creating or sharing explicit images, shaming someone online and pressuring children to engage in sexual dialogue or send explicit images. Snapchat, an online media-sharing smartphone app, deletes a photo after a recipient has had a few seconds to look at it. For this reason, Snapchat has become a major sexting vehicle; for many adolescents, Snapchat is almost entirely synonymous with sexting. According to a survey from the National Society for the Prevention of Cruelty to Children,⁴⁷ 6 out of 10 teens say they've been asked for sexual images of themselves.⁴⁸ The social pressure to comply with demands from sexual predators results in a toxic, coercive online culture. In 2012, a 15-year-old

⁴⁵ www.cbsnews.com/news/pedophilia-ring-dark-web-interpol-operation-blackwrist-thailand-us-australia-children-rescued/

⁴⁶ <https://www.nytimes.com/2018/03/12/well/family/teens-are-sexting-now-what.html>

⁴⁷ <https://endsexualexploitation.org/articles/cyberbullying-sexting-snapchat/>

⁴⁸ Charity campaigning and working to increase child protection in the UK and Channel Islands

student named Amanda Todd committed suicide after being cyberbullied following explicit photos of her body being shared across social media. This sparked worldwide controversy over the mental health of adolescents and sexual abuse over the internet. A report from ECPAT called *Violence Against Children in Cyberspace* explains the distinct impacts a child will face from being exploited online. A child who has been sexually abused online may feel that the existence of imagery of their humiliation masks the violence they have experienced and makes them appear complicit. This dilemma adds an additional traumatic burden and may make it difficult for a child to report what happened, as they fear authorities/trusted others will not believe their anguish. Victims of child pornography are commonly forced to smile while making the content, in order to seem compliant in front of the camera. In cases from Sweden and the UK, groups of victims of child pornography denied the abuse despite visual evidence of its occurrence. In many scenarios, a child may feel that they can cope better if they deny the occurrence of the traumatic events they find hard to accept. They may also feel immediate or future shame or fear of being recognized within their community if they speak out. In Manila, in the Philippines, female victims of child pornography often worry that stigma attached to their abuse will impede marriage and child-bearing prospects.⁴⁹ This anxiety can severely intensify when a child understands that images of their abuse will be replicated and circulated online long into the future. The concern that images will resurface is difficult to resolve therapeutically and legally.

Past UN Action

UNICEF has made a commitment to actively combat child abuse and sexual exploitation in a digital age. As part of UNICEF's commitment to the *CRC*,⁵⁰ *Optional Protocol on the Sale of Children*⁵¹ and the *Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents*⁵², they have aimed to respond and create preventative measures to combat sexual violence by engaging in multiple facets of government including justice, social welfare, education, health, the legal sector, the private sector, religion, media, families and children themselves. In addition, they currently support governments and organizations that strengthen child protection systems at the national and local level and actively work to improve laws, policies, regulations and the distribution of comprehensive services to child victims. UNICEF also works with communities and the general public to raise awareness about the problem and address dangerous cultural norms that can place children at risk. In particular, WePROTECT⁵³ is an important organization backed by UNICEF that aims to end child sexual exploitation online. WePROTECT focuses on securing commitment and resources by governments, civil society organizations, and the IT industry to tackle online sexual exploitation. The WePROTECT Board works towards international consensus by encouraging members to join and working

⁴⁹ Trinidad, A.C. (2005). Child Pornography in the Philippines. Manila: UP Center for Integrative and Development Studies (UP CIDS-PST) and UNICEF. p.64.

⁵⁰ Ibid

⁵¹ www.ohchr.org/EN/ProfessionalInterest/Pages/OPSCCRC.aspx

⁵² www.unicef.org/protection/Rio_Declaration_and_Call_for_Action.pdf

⁵³ www.weprotect.org/

with partners to get the issue of child exploitation onto international and regional agendas. In addition, WePROTECT supports comprehensive national action by providing guidance and strategy to countries that support the development of ending online child sexual exploitation through national legislature. WePROTECT has unprecedented reach, with 84 member countries, 24 major global technology companies, and 20 leading civil society organizations.

UNICEF recommends the establishment of hotlines that allow for the public to send in reports of child abuse and sexual exploitation. Other than Cambodia and Thailand, no country appears to have an online reporting mechanism affiliated with INHOPE⁵⁴ or the Internet Watch Foundation, both of which are responsible for receiving online reports of illegal online content including child abuse materials. In other nations, calls to these support networks may be limited due to lack of support and confidence in law enforcement.

The establishment of educational programs is also deemed integral by UNICEF. It allows for members of society to be more aware of the importance of children's safety and cyber wellness. There are also numerous examples of authorities, police forces, and teachers promoting public awareness of sexual abuse. UNICEF has actively supported these awareness campaigns and has publicly condemned violence against victims as a whole. Despite the large-scale political will to fund these campaigns, educational programs that fight child sexual exploitation have not been properly integrated into school curriculums. In order to create a societal and cultural attitude that actively condemns sexual abuse against children, the Committee on the Rights of the Child⁵⁵ has highlighted “a need for intensive awareness-raising activities through mass media and community participation”.

Moreover, UNICEF deems that a committed law enforcement network is critical in combating offences against children. The capacity of the legal system, particularly the judiciary and prosecutors who conduct sensitive cases in regards to child sexual abuse, varies from nation to nation. Common challenges include a limited amount of competent and trained justice professionals to handle cases involving children, a heavy reliance on child victims themselves to prosecute cases, and low rates of prosecutions and convictions for offences in general. These issues are often caused by the build up of governmental neglect and the inability of children to access local legal systems.

⁵⁴ INHOPE is an organization supported by UNICEF that aims to develop national hotlines across the world, where needed, to fight against child sexual abuse online and in society

⁵⁵ The Committee on the Rights of the Child is a body of independent experts that monitors and reports on implementation of proposed UNICEF action

Current Situation

As history has proven, the sexual exploitation of children continues to harm the psychological, physical, and emotional stability of victims around the world. Victims of online sexual abuse are more likely to engage in high risk behaviours and contemplate suicide. In status quo, governments and international communities are finding ways to break through the obstacles that prevent individuals from being exposed to exploitation. Key findings in Nepal, the Philippines and Thailand revealed a number of unique barriers that prevent justice of child abuse and exploitation crimes being done. Many children are not willing to reach out to the justice system, particularly in developing countries, because the resources that would allow children to receive help such as social services, emergency hotlines, or therapy centers simply do not exist. And yet in the case that these services do exist, children often decide not to use them in fear of the possible consequences they may face. This includes the retaliation of abusers, the stigma surrounding abusees and fear of police inaction. In Afghanistan, girls who have been sexually abused may be re-victimised, as speaking out about the crimes may put them at further risk of honour killing or forced marriage to their rapist.⁵⁶

In many countries, legislative or policy provisions set out comprehensive support systems that child victims should receive during investigations, prosecutions, and after-care. That being said, in areas where child exploitation is largely neglected, support systems do not exist for victims. The protection of child victims is hindered by ineffective coordination between police, officials and government organizations. Instead, such services are run by NGOs and are mainly concentrated in major cities or well populated regions. In other countries, including Indonesia, Malaysia and Thailand, integrated medical services, legal services, and specialized residential rehabilitation centres have been developed.

Every child who goes online faces a certain level of risk; however, research increasingly indicates that children who are more vulnerable offline are more vulnerable online, too. This link can deepen the challenges faced by the world's most marginalized children. Existing evidence indicates that girls, children from poor households, children in communities with little understanding of different forms of sexual abuse, children out of school, children with disabilities, children from marginalized communities and children who suffer from mental health problems are more likely to be victims of online harm. A lack of awareness and a growing prevalence of unguided digital access put children at risk as well.

Victims who do get through the slow and bureaucratic reporting system are still harmed because they fear being criminalized without a chance to receive justice. One of the most daunting aspects of the justice process is the requirement that they must relive the fear as they recount the story of their abuse during proceedings. Children are further burdened when they have to tell their story in the presence of their abuser and the officials who struggle

⁵⁶afppd.org/Resources/Review-of-National-Legislations-andPolicies-on-Child-Marriage-in-South-Asia.pdf.

to relate and sympathize with the victim. While many legal systems in developed nations offer a range of special interview and trial procedures, a one-size-fits-all approach can lead officials to apply procedures that are not well-suited to the needs of the individual child.⁵⁷ For example, many courts hold sexual exploitation cases in judges' chambers, a measure that spares children unwanted publicity, but often requires them to speak closer to their exploiter than usual. The close proximity between the predator who abused them can be psychologically detrimental to the child. A growing reliance on digital technologies to enable remote children to give testimony is not the best option for children who have been victimized through these means. A dominant theme emerging from ECPAT's research paper called *Through the Eyes of the Child: Barriers to Access to Justice and Remedies for Child Victims of Sexual Exploitation* found that adults often fail to see the injured child beneath the image of a troubled teenager or sex worker, which can negatively impact the child's experience in gaining justice. Since children 'agree' to sell their sexuality as a commodity, children are commonly considered to have surrendered their right to belong to or be protected by authorities. Likewise, the sexual abuse of a child in prostitution has not been traditionally viewed as wrong as the sexual abuse of an "innocent" child. Sexually exploited children who are, or physically appear to be old enough to consent to sex by authorities are also more likely to be treated as criminals than victims.⁵⁸ Child victims are rarely given a chance to express their views on important matters during cases against their offenders, such as selecting the procedures by which they use in court. Delayed disclosures and slow-moving cases, which are common in child sexual exploitation cases, can result in older children being deemed ineligible or undeserving of child-friendly protections by the time they reach trial.

The lack of workers and financial resources is a primary challenge for the functioning of child protection systems around the globe. Social workers and volunteers are often requested by multiple ministries and are, therefore, unable to provide focused, quality, and individualized help. In addition, the legislation of many developing countries have been influenced by the late 1800s-early 1900s British common law system, particularly the child protection laws in Myanmar, Malaysia, Thailand, Papua New Guinea and Pacific Island countries. Over time, there have been some legislative reform and national adaptation; however, outdated notions of child protection are reflective of a lingering colonial influence.⁵⁹ Definitions within legislation retain outdated terminology from inherited Western laws and have not been adapted to modern child protection realities. In Malaysia, for example, children at risk are defined as those who are "exposed to moral danger"; Myanmar includes children "of depraved character" or "in the custody of wicked parents". These vague descriptions creates difficulty when deciding whether a child is truly at risk and in need of governmental protection. Outdated notions of parental unfitness and immorality affects the overall rescue and reform approach to child and family welfare services.

⁵⁷www.ecpat.org/wp-content/uploads/2017/04/Through-the-Eyes-of-the-Child_Barries-to-Access-to-Justice-the-matic-report.pdf

⁵⁸ Ibid

⁵⁹www.socialserviceworkforce.org/system/files/resource/files/Child_Protection_System_Mapping.pdf

Technology continues to be a fairly new concept to humanity and is constantly evolving. Because of this, the international community is still finding ways to tackle issues prevalent in society surrounding technology and its implications on child abuse and sexual exploitation. Children involved in online pornography or livestreams are believed to be more reluctant to report the crimes in fear of the discovery of the recordings of abuse. The majority of these children are never identified or found in the justice system. Those victims who do engage within the justice system are often branded as criminals themselves, as juries and judges perceive the action of participating in online pornography to be a crime itself.

Possible Solutions

Introducing Cohesive Legislation Measures

Creating stronger legislation frameworks will help tackle sexual abuse and exploitation more effectively.⁶⁰ This includes action from all regional and national level government members, religious and community leaders leaders, the Information Technology industry and UN bodies. Stronger coordination and communication, as well as the building of partnerships and collaborations with law enforcement agencies are critical for the development of functional child protection laws. For example, Facebook and ECPAT have worked closely to help develop systems for reporting and detecting child sexual abuse material. In addition, reports from the UN Human Rights Committee and the Committee on the Rights of the Child Committee have been instrumental in aiding governments to identify the gaps in legislation so they can make appropriate changes. Ensuring that countries have laws that are in line with internationally agreed conventions is key to preventing future cases of child abuse, both on and offline.

Establishing Extensive Social Services and Infrastructure

In areas around the world where child abuse and sexual exploitation is not seen as a legitimate concern, social services do not exist. A research study by ECPAT⁶¹ recommended additional training for first responders, particularly in the area of human trafficking, as well as one-stop crisis centres in hospitals, improving witness protection for children, developing safety mechanisms in public/private areas, expedite cases of statutory rape/abuse through priority tracking, protecting the privacy of the child in court cases, and an emphasis on considering the child's views and best interests. ECPAT also found that increasing efforts to identify victims of crime through child-friendly helplines and police intake units can be effective. In addition to this, hotlines, therapy centers, and emergency services can be beneficial. In Guyana, the establishment of a child sexual abuse tip hotline resulted in a dramatic increase in the number of reported cases. Moreover, many countries have community volunteers or traditional authorities who have been given child protection roles in regions. This volunteer-based social work approach has been established in numerous

⁶⁰ Ibid

⁶¹ Ibid

countries by UNICEF, Save the Children, World Vision and Plan International. As religious leaders are looked at for moral guidance and advice, UNICEF recommends them to spark more discussion around the implications of online child abuse and exploitation and oppose traditions followed by families and communities that put children at risk. Religious organizations and churches can help by offering protection and support to children who are victims of online exploitation.⁶²

Increasing Education About Safety

Even in areas where social services that help children and victims exist, there is an evident lack of education around online safety and specific precautions children should take while surfing the internet. The problems surrounding online “sexting” and unreliable or unsafe websites are victimizing children in many areas around the world. It is possible to reduce the likelihood of harm to children by developing educational programs/curriculum within schools that promote parental supervision around computers and safe practices. Brunei has implemented education programs in curriculums to address sexual abuse and exploitation of minors, as well as of minors, as well as cybersafety. The Ministry of Religious Affairs in Brunei has also played a role in awareness-raising through sermons. Public awareness activities can also be undertaken through advertisements in movie theatres, websites and buildings in order for societies to recognize the real dangers of online exploitation. Governments, non-profit organizations, and other individuals have the opportunity to create websites and that provide children, youth and families with strategies on how to safely navigate the Internet. For example, in 2015, Telenor, Digi and UNICEF Malaysia published the guide ‘Talk to your children about the Internet’ for parents on children’s online safety.⁶³ Developing a series of effective measures and mechanisms is crucial to protect children from falling prey to sexual predators online.

Implementing Digital Protection Technology

It would be beneficial to create online safety tools on social networking sites, such as chat moderation and report buttons, filtering software, and stricter guidelines for companies in order to prevent their services from use in online child sexual exploitation. For instance, UNICEF Philippines and the Ateneo Human Rights Center provided strategies to a leading internet service provider (ISP), which aimed to result in an effective code of conduct to guide the ISP. In addition, governments can create online tip lines that receive reports of online sexual exploitation from the public. Governments and non-profit organizations can implement innovative digital forensic tools such as RoundUp, which can monitor activity on P2P networks and offer the geolocations of the computer networks sharing this material.⁶⁴ This can be done by collaborating with organizations specializing in technology and cybercrime. In collaboration with INTERPOL and the Royal Malaysian Police, Digi, a

⁶² www.unicef.org/protection/files/FBO_Guide_for_Religious_Leaders_and_Communities_ENG.pdf

⁶³ https://www.icmec.org/wp-content/uploads/2017/05/Child_Protection_in_the_Digital_Age.pdf

⁶⁴ www.dfrws.org/sites/default/files/session-files/paper-forensic_investigation_of_peer-to-peer_file_sharing_network.pdf

Malaysian data service provider, introduced a proprietary blocking and rerouting system in 2013 to prevent the spread of child abuse materials.⁶⁵

Bloc Positions

Africa

Africa currently has some of the highest rates of child sexual abuse and exploitation and many countries on the continent are deemed by the UN as “extremely unsafe for children to live in”⁶⁶. Although African states are attempting to foster a safer environment for children to live and learn in, such attempts have not been successful, as many nations simply do not have the resources to fund preventative measures in the status quo. There is also a high prevalence of child sex tourism and child trafficking in Africa. Countries most well known for being child sex tourist destinations include Benin, Cameroon, Côte d’Ivoire, Ghana, Kenya, Madagascar, Mauritius, Morocco, Nigeria, Senegal, South Africa, Gambia and Tanzania.⁶⁷ Social conflicts, political conflicts, poverty, and HIV/AIDS have left many African countries unstable. Due to the volatile state, families struggle for survival and children become more vulnerable to commercial child sexual exploitation. Currently, there is a major push to promote tourism development as a tool to alleviate Africa’s financial issues. However, ECPAT is concerned that if new developments are conducted without proper protective mechanisms, the commercial sexual exploitation of children may worsen.⁶⁸ Moreover, in Africa, 74%⁶⁹ of people identify religious leaders as the group in which they have the most trust. It is possible that religious communities and faith-based organizations can play a vital role in prevention against child sexual abuse.

North America

North American nations actively participate in UNICEF backed initiatives. Many helplines and support networks are available for children and victims, resulting in lower rates of child sexual abuse and exploitation compared to other continents. Nonetheless, issues revolving around child abuse and sexual exploitation still exist in North America, particularly those involving a misinformed use of technology and the Internet. Many children also have trouble speaking out against their abuser. For example, 63%⁷⁰ of the children who were involved in a Child Witness Program between 1988 and 1993 delayed disclosing the abuse. According to the International Watch Foundation⁷¹, the most commonly encountered cases of livestreams depicting child sexual abuse involve young Caucasian girls from relatively affluent backgrounds.

⁶⁵ Ibid

⁶⁶ Ibid

⁶⁷ Ibid

⁶⁸ www.ecpat.org/wp-content/uploads/2016/04/confronting_csec_eng_0.pdf

⁶⁹ Ibid

⁷⁰ Ibid

⁷¹ Ibid

Europe

Most European nations actively condemn child abuse and sexual exploitation; however, some areas in Eastern Europe, namely Hungary, the Czech Republic, and Poland, often neglect the needs of children in terms of their safety and protection. Other countries such as Belarus, Moldova, Russia and Ukraine have issues of advertisement of online child abuse material on the Internet. Through the use of various dating websites, self-victimisation of youth sharing their explicit images online is a growing concern in these countries. ECPAT reports that “some of the contributing factors to the special vulnerabilities of children... include the need to contribute to the family income, high aspirations for consuming and accessing relative material comfort, misinformation on better life opportunities abroad and increased access to information and communication technologies, which are used by organised criminal networks to entrap children and families in trafficking, prostitution and pornography.”⁷² There has also been an increase in internal child sex trafficking and tourism in Russia and Ukraine.⁷³

Latin America

The expansion of ICTs, combined with the popularity of the Internet and lack of child protection measures, has resulted in the vulnerability of Latin American children being exposed to online threats such as online grooming. It is probable that there is a direct link between protecting children's rights and the political stability of such nations. One study showed that only about 20% of Uruguayan children, 30% of Peruvian, Guatemalan and Chilean children, and 40% of Mexican children received education about internet safety.⁷⁴ According to ECPAT, the Internet is also increasingly being used in this continent to hide the prostitution of children.⁷⁵ While most countries have planned to implement stronger enforcement against online child exploitation, efforts to address this issue remain weak with the exception of Costa Rica, Brazil and Uruguay.

South Asia

South Asia has experienced immense rapid social and economic changes over the past couple decades. While modernising trends have impacted social norms, patriarchal systems continue to dominate sexual relationships in countries such as Afghanistan, India, Pakistan and Bangladesh. Boys are expected to ensure social and economic security; girls are destined to marry and are perceived as less deserving of long-term economic and emotional investment.⁷⁶ This creates a higher likelihood for girls to be sexually exploited compared to boys. The normalization of child prostitution and low levels of education have been catalysts for exposing children to online sexual exploitation and abuse. In addition, Asia is the most

⁷² Ibid

⁷³ www.ecpat.org/wp-content/uploads/2016/04/regional_overview.pdf

⁷⁴ www.ecpat.org/wp-content/uploads/2016/04/ICT-Research-in-LatinAmerica_ENG.pdf

⁷⁵ [https://www.ecpat.org/wp-content/uploads/2016/04/Regional%20CSEC%20Overview_Latin%20America%20\(English\).pdf](https://www.ecpat.org/wp-content/uploads/2016/04/Regional%20CSEC%20Overview_Latin%20America%20(English).pdf)

⁷⁶ Ibid

disaster-stricken area in the world, sustaining 61%⁷⁷ of global losses from disasters in the past 20 years. Families are often put at an even more vulnerable position as they are often left on the streets post-disaster.⁷⁸ For instance, after Typhoon Haiyan devastated regions of the Philippines in 2013, there was a large increase in child trafficking⁷⁹. Moreover, citizens from Singapore, South Korea and Japan are known to travel to child sex tourist destinations such as Thailand and the Philippines.

The Caribbean

The majority of countries in the Caribbean have general resources available to prevent child sexual abuse, including a local police force, courts, government ministries, and access to services of community-based organizations and NGOs. Ten countries in the Caribbean reported that child sexual abuse is a “very serious problem” in their country. Although a range of factors increased children’s susceptibility to sexual abuse, poverty was the top contributor. Additionally, poor parenting skills and cultural norms are factors of child sexual abuse. Hotlines to call in tips on sexual abuse exist in the Caribbean; however, several countries reported a number of challenges associated with it. This includes the cost of calls to the client, a lack of volunteers to manage the hotline, and the mistrust of confidentiality. In Barbados, Grenada, Guyana, Jamaica, Montserrat and St. Kitts and Nevis, it was felt that more attention was put on girls who suffered from child sexual abuse. Victims who were boys were perceived differently in terms of investigation and punishment. The severe delay of court procedures, the lack of robust prosecution, and the prominence of fear and bribes were noted as obstacles that prevented the successful prosecution of perpetrators of child sexual abuse.⁸⁰

The Middle East

Middle Eastern countries, including Algeria, Egypt, Iran, Iraq, Lebanon, Libya, Morocco, Saudi Arabia, Sudan, Syria, the United Arab Emirates and Yemen, have all ratified the CRC with no reservations on Article 34 or 35, which covers the right for children to not be exploited for sexual purposes.⁸¹ Despite the widespread ratification to committing to protect children, the CRC is weakly implemented within the Middle East. Particularly in the Middle East, pre-puberty signs constitute as a sign of adulthood, meaning that child victims of sexual exploitation are held to societal expectations of adults and are often subjected to societal disapproval. With many children being denied social services and legal support, they are typically reliant on regional non-profit organizations and child helplines to seek justice and rehabilitation. Women and girls are often subjected to gender-based violence; seclusion of women from the public domain, hindrance of their access to education and social resources, female genital mutilation, and early marriages are only a few examples. In Arab

⁷⁷ Ibid

⁷⁸ www.ecpat.org/wp-content/uploads/2016/04/Regional%20CSEC%20Overview_East%20and%20South-%20East%20Asia.pdf

⁷⁹ Ibid

⁸⁰ www.unicef.org/easterncaribbean/ECAO_Sexual_Violence_againstChildren_in_the_Caribbean.pdf

⁸¹ [https://www.ecpat.org/wp-content/uploads/2016/10/2.-Region-MENA.pdf](http://www.ecpat.org/wp-content/uploads/2016/10/2.-Region-MENA.pdf)

society, “the loss of virginity of a girl victim of sexual abuse or exploitation is considered to dishonor the family”.⁸² There are severe repercussions for the victim, including rejection, isolation, imprisonment, or even forced marriage to the perpetrator. Children may also seemingly “voluntarily” enter into sex work in order to support their families, but because of their age, is still considered exploitation. The explosion of the internet and mobile technology has allowed sexual predators to easily and anonymously gain access to children. New travel and tourism services, such as home-stays and voluntourism, have heightened children’s vulnerability. Several well-documented examples of sexual trafficking in children have occurred in the Middle East, notably in conflict zones. In Islamic-State controlled territory, children of the Yazidi minority population are especially subjected to trafficking.

⁸² Ibid

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Topic 2: Preventing Child Marriage

Questions to Consider

1. What laws and/or regulations exist in your nation to prevent child marriage?
2. What are the driving factors of child marriage? What can be done to address these individual issues?
3. What can be done to adjust cultural norms in societies that believe child marriage is a traditional practice, not a crime?
4. What laws can be implemented and improved on to address the issue of child marriage?

Overview

In the Western world, marriage is regarded as a moment of celebration and a milestone in adult life. However, in other regions of the world, the practice of an early marriage gives no cause for celebration. All too often, this means a minor's childhood is cut short and their fundamental rights are severely compromised.⁸³ Child marriage is an unrelenting issue plaguing vulnerable youth. Presently, there are an estimated 700 million brides who were married as children.⁸⁴ UNICEF reports that there are 115 million men and boys who were married before the age of 18.⁸⁵ Boys and girls do not face the same risks and consequences for marriage due to biological and social differences. Nonetheless, the practice is a rights violation for children of both sexes. Child grooms are forced to take on adult responsibilities that they may not be prepared for. The union may bring early fatherhood and result in additional economic pressure in the form of providing for the household and may constrain the boy's access to education. The Convention on the Rights of the Child (CRC), a human rights treaty which protects the political, economic, social, health and cultural rights of children,⁸⁶ considers a child to be "every human being below the age of eighteen years".⁸⁷ According to the University of California, Berkeley School of Public Health, it is defined as a formal marriage or informal union of a child under the age of 18.⁸⁸ Many young children forced into marriage are deprived of their most basic human rights. In many broadly endorsed agreements in the world, child marriage is strictly prohibited. Ratified treaties such as *The*

⁸³ <https://www.unicef-irc.org/publications/pdf/digest7e.pdf>

⁸⁴ www.globalcitizen.org/en/content/child-marriage-brides-india-niger-syria/

⁸⁵ <https://data.unicef.org/topic/child-protection/child-marriage/>

⁸⁶<https://www.unicef.ca/en/policy-advocacy-for-children/about-the-convention-on-the-rights-of-the-child>

⁸⁷ <https://www.ohchr.org/en/professionalinterest/pages/crc.aspx>

⁸⁸ berkeleyhealth.berkeley.edu/2014/03/child-marriage/

*CRC*⁸⁹ and *The Convention on the Elimination of All Forms of Discrimination against Women* highlight the freedoms that all children deserve. The latter treaty states in Article 16 that all women should have “the same right [to] freely... choose a spouse and to enter into marriage only with their free and full consent; The marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.”

⁹⁰ The right to ‘free and full’ consent to a marriage is also recognized in the Universal Declaration of Human Rights; consent cannot be ‘free and full’ when one of the parties involved is not sufficiently mature to make an informed decision about a life partner.⁹¹ The harmful practice of child marriage robs children of their childhood, denies them the chance to determine their own future and threatens the personal well-being of the children.

Despite these treaties and agreements, many governments have not fulfilled their obligation in protecting the vulnerabilities of children — many children are still married off, regardless of its illegality. In India, since 1929, national legislation states that no woman can be married under the age of 18. Parents and older spouses can be punished with up to two years in prison for allowing or coordinating these marriage arrangements.⁹² Yet, 27% of India’s girls are married before the age of 18.⁹³ In Rajasthan, India, some child marriages involve mere toddlers aged two or three years-old.⁹⁴ Demographic research from the Pew Research Centre⁹⁵ found that authorities from Albania, Angola, Bulgaria, Central African Republic, Ethiopia and additional nations did not properly enforce child marriage law.⁹⁶ Furthermore, Indian law enforcement, UNICEF notes, had limited knowledge by officers on understanding and applying child marriage laws.⁹⁷ Individually, many people feel that traditions are stronger than the law. There is a limited number of officials and a widespread reluctance to go against community decisions, especially since officials are often a part of the community. Moreover, other governments have failed to set out a legal minimum age, including Yemen⁹⁸ and Equatorial Guinea.⁹⁹ The lack of legal limitations for children has resulted in a large number of forced marriages, especially in rural areas.¹⁰⁰ The Yemeni Sharia Legislative Committee government, for example, has blocked attempts to raise the legal marriageable age, believing that law setting a minimum age for girls strongly goes against Islamic beliefs. Whether it is setting an appropriate legal minimum marriageable age

⁸⁹ Ibid

⁹⁰ <https://www.ohchr.org/en/professionalinterest/pages/cedaw.aspx>

⁹¹ https://www.unicef.org/publications/files/Early_Marriage_12.lo.pdf

⁹² www.nationalgeographic.com/photography/proof/2018/04/child-brides-marriage-shravasti-india-culture/

⁹³ <https://www.girlsnotbrides.org/child-marriage/india/>

⁹⁴ Ibid

⁹⁵ Described as a “fact tank”, the PRC is a non-partisan organization that conducts research on various subjects

⁹⁶ https://assets.pewresearch.org/wp-content/uploads/sites/12/2016/09/FT_Marriage_Age_Appendix_2016_09_08.pdf

⁹⁷ <https://unicef.in/Whatwedo/30/Child-Marriage>

⁹⁸ <https://www.girlsnotbrides.org/child-marriage/yemen/>

⁹⁹ Ibid

¹⁰⁰ Ibid

or more thoroughly enforcing current legislation, it is evident that there is a clear need for cohesive child marriage laws within the global community.

In addition, it is imperative to note the difference between arranged marriages, forced marriages and child marriages. In arranged marriages, children often have little say in the matter and their families mainly plan the arrangements, but are aware of the future partnership and give their consent.¹⁰¹ Forced marriages, however, involve one or both parties being married against their will. Family members or others may use physical or emotional abuse, threats, or deception to force one to marry without giving consent.¹⁰² In regards to child marriage, it can be forced or arranged. Children are often given varying powers to consent to their parents' choice of a spouse. There have also been instances where parents do not initiate the marriage, known as self-initiated marriage.¹⁰³ The majority of these cases are simply when the two children believe they are in love.¹⁰⁴ In Nepal, an increasing number of girls are marrying spouses of their own choosing, often to escape abusive circumstances, future forced marriages or to have sexual intercourse within the socially sanctioned institution of marriage.¹⁰⁵ Particularly in the Ethiopian region of Oromia, many young girls wish to gain the prestige of being a married woman. In these cases, parents are subsequently forced to accept the couple as married. In many parts of the world, prospects for marriage are severely low if one is divorced. In rural Latin America, girls are no longer considered virgins after marriage and are considered 'ruined'. Self-initiated marriages allow children to exercise some level of authority in their partnerships.¹⁰⁶

The textbook practice of child marriage generally involves the separation of family and friends. Children are often socially isolated and transferred to their older spouse like a piece of property. While it is evident that the vast majority of child marriages involve girls, UNICEF estimates that 18% of those married under 18 are boys, while 82% are girls.¹⁰⁷ The disproportionate difference between sexes is indicative of gender-based discrimination in cultures. In India, for example, many families consider girls to be *paraya dhan* - someone else's wealth.¹⁰⁸ Often married off at puberty, girls are deemed most 'productive' in their adolescence. Girls will be expected to become a woman and begin raising a family. According to the organization Global Citizen¹⁰⁹, "young girls who are married off are more likely to have children while still physically immature. They are psychologically unprepared and unequipped to become mothers... they tend to have more health problems during pregnancy and childbirth due to inadequate health care and their babies have a reduced

¹⁰¹ https://www.lexico.com/en/definition/arranged_marriage

¹⁰² <https://www.uscis.gov/humanitarian/forced-marriage>

¹⁰³ <https://www.girlsnotbrides.org/child-marriage/nepal/>

¹⁰⁴ Ibid

¹⁰⁵ Ibid

¹⁰⁶ <http://www.errc.org/roma-rights-journal/child-marriage-a-cultural-problem-educational-access-a-race-issue-deconstructing-uni-dimensional-understanding-of-romani-oppression>

¹⁰⁷ https://www.unicef.org/media/files/Child_Marriage_Report_7_17_LR..pdf

¹⁰⁸ Ibid

¹⁰⁹ A movement of citizens spreading advocacy through online content, grassroot organizations and events

chance for survival.”¹¹⁰ Children are often unable to effectively negotiate for safer sex, leaving themselves vulnerable to STIs and unplanned pregnancies.¹¹¹ In fact, the pressure to become pregnant once married can be intense: motherhood and wifehood become a child bride’s first priority. In Latin America, women are seen as a tool for reproduction; frequent, unprotected sex is expected from a wife.¹¹² Moreover, child brides tend to suffer major educational disadvantages. Forced marriage encompasses the troubling belief that marriage marks a child’s transition into adulthood, meaning investment into their education is no longer necessary. In cultures such as India, educating daughters is seen as less of a priority than educating sons.¹¹³ Children are expected to drop out of school during the preparatory period of their marriage and are unlikely to ever return back to education. Instead, girls are expected to solely take care of their home, their ‘husband’, and their children.¹¹⁴ They spend the rest of their lives uneducated, unable to pursue any opportunities which could liberate them from their situation. This traps the child and their families into a cycle of poverty. Furthermore, research from Girls Not Brides¹¹⁵ found that over 60% of uneducated women aged 20-24 were married before turning 18.¹¹⁶ There are also many legal obstacles for married girls to return to school — they may have children to look after or may live too far away from any school. Some countries, such as Equatorial Guinea, Tanzania, and Sierra Leone, forbid pregnant girls and young mothers from resuming education.¹¹⁷ The fear of stigmatization in school often prevents young mothers from continuing their schooling. Emily Nyoni, a young Tanzanian mother expelled from school after becoming pregnant in 2012, recounts her thoughts to Global Citizen, “some people will hate you because you are pregnant or have given birth, they will despise you as if you have committed an unforgivable sin”.¹¹⁸ Girls Not Brides research shows that the longer a girl stays in school, the less likely she is to be married and have children before the age of 18.¹¹⁹ Moreover, uneducated married children takes a cumulative toll on communities, workforces and economies — it creates a major disadvantage for countries, putting thousands of their potential labor force at risk of being dependent. Evidently, education is a powerful tool to end child marriage.

One of the main driving factors of child marriage is poverty, meaning that it is much more common in the developing world.¹²⁰ In South Asia for instance, 42% of women were married under 18, compared to the stark 4% of women who were married under 18 in Central Eastern Europe and Commonwealth of Independent States (CEE/CIS).¹²¹

¹¹⁰ Ibid

¹¹¹ Ibid

¹¹² https://web.stanford.edu/group/womenscourage/Repro_Latin/ekobash_HIVpower_Latin.html

¹¹³ Ibid

¹¹⁴ <https://www.right-to-education.org/blog/forced-marriage-brutal-barrier-child-s-education>

¹¹⁵ A global partnership and charity creating advocacy programs to end child marriage.

¹¹⁶ <https://www.girlsnottbrides.org/themes/education/>

¹¹⁷ <https://www.globalcitizen.org/en/content/burundi-pregnant-adolescent-girls-school-ban/>

¹¹⁸ <https://www.globalcitizen.org/en/content/tanzanias-ban-on-pregnant-girls-in-school-violates/>

¹¹⁹ Ibid

¹²⁰ <https://www.unfpa.org/news/top-10-myths-about-child-marriage>

¹²¹ Ibid

For many impoverished parents, marrying their child off can seem like the best — or only option. By giving a child in marriage, parents are able to reduce their expenses: one less person to feed, clothe and educate. In fact, a dowry, or “bride price” is a popular practice in many African and Chinese communities. Families often marry their children at a young age in exchange for goods, money or to offset previous debts.¹²² In these situations, marrying off a child is akin to an economic transaction for a source of income. With an estimated 30 million more men than women in China, the nation struggles with one of the biggest gender demographic imbalances in history. In rural villages, a groom-to-be could pay the bride’s family over \$38,000.¹²³ The Washington Post recounts a rural pear farmer’s thoughts: “It’s the market,” he said. “I’m allowed to charge what the market will bear for my pears. Why not my daughter?”¹²⁴ Similarly, communities in Kenya and Burkina Faso often trade a child’s hand in marriage in exchange for cattle, kola nuts, drinks, and cigarettes.¹²⁵ However, dowries can also be paid by the child’s family *in order* to marry the child off. This is especially true in cultures where girls and women are not seen as potential wage earners, but rather financial burdens to get rid of. Because the dowry amount a family must pay increases with the age and education level of the child, the “incentive” of the dowry system perpetuates child marriage.¹²⁶ Though it is illegal to pay a dowry to the bride’s family, it is popular in Nepal and India.

In humanitarian crises where sexual violence is rampant, child marriage can be seen as a way to provide children with the protection of an older spouse. In fact, 9 out of 10 countries with the highest child marriage rates are deemed as ‘fragile’ states.¹²⁷ Many parents believe that marrying their child off will keep them safe, often unaware of the violence that their child will likely face within marriage. One mother from Syria explains, “it was much better for her [my daughter] to get married, even though she was still a child, than to be raped by a soldier.”¹²⁸ However, girls who marry before the age of 15 are 50% more likely to face physical or sexual violence from a partner.¹²⁹ In Bangladesh, Tanzania, Uganda, and Zimbabwe, around half of married girls aged 15-19 have experienced violence by their husbands.¹³⁰ Furthermore, girls and women are often used as “weapons” of war during a conflict, sold into prostitution, or abused under the guise of “marriage”. For instance, in Iraq and Syria, Yazidi girls have been abducted by terrorist groups to be sold into marriage.¹³¹

¹²² <https://www.girlsnotbrides.org/themes/poverty/>

¹²³ https://www.washingtonpost.com/world/asia_pacific/the-bride-price-in-china-keeps-rising-some-villages-want-to-put-a-cap-on-it/2018/09/22/000257b0-a9ad-11e8-8f4b-aee063e14538_story.html?noredirect=on

¹²⁴ Ibid

¹²⁵ <https://www.bbc.com/news/world-africa-33810273>

¹²⁶ Ibid

¹²⁷ <https://www.girlsnotbrides.org/themes/conflict-humanitarian-crises/>

¹²⁸ Ibid

¹²⁹ <https://www.girlsnotbrides.org/themes/violence-against-girls/>

¹³⁰ Ibid

¹³¹ Ibid

Though money is a key motivator, the practice of child marriage in many societies is considered the norm. In southern Ethiopia, marriage is simply considered the next phase of womanhood, followed by female genital mutilation and menstruation.¹³² Many cultures, such as rural Latin American ones, consider non-virgin girls as ‘ruined’ and ‘unsuitable’ for marriage.¹³³ The social pressure to marry at puberty can also be substantial in certain Indian castes.¹³⁴ As a result, families marry their young daughters to ensure they minimise improper sexual activity and prevent children out-of-wedlock.¹³⁵ Shame surrounding pre-marital sex and a lack of access to information about contraception and sexuality can also be encouragement for girls to marry early.

In addition, an article from Stanford University found that the greater the age difference between couples, the harder it is for couples to communicate.¹³⁶ This is especially true on dilemmas that challenge the older male’s authority. Communication is particularly difficult for young girl brides because they do not have the power to disagree with decisions made by their husbands. Child brides are unable to assert their wishes or negotiate for a safer environment.¹³⁷ This increases the girl’s inferiority to her husband, and prevents her from leaving the marriage — even if it is unhealthy for her. Another problematic factor to consider is that married children often lack the resources and the knowledge of basic human rights to file a statement against their oppressors. Many victims are illiterate and are, thus, rendered unable to form a credible claim against their abusers in court.

Timeline

19th century: The rise of first-wave feminism¹³⁸ brings to light the struggles that females face. Advocacy for suffrage and gender equality within marriage spark international debate about the discrimination against girls within child marriages.

December 1964: The Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages enters into force.¹³⁹ The Convention reaffirms the importance of consensual nature within marriages and recommends the countries ratifying and/or signing to establish a minimum marriage age (18) by law. Despite this, many countries such as Yemen have yet to set their minimum marriageable age to 18.

¹³² Ibid

¹³³ Ibid

¹³⁴ Ibid

¹³⁵ https://www.ecpat.org/wp-content/uploads/legacy/Child%20Marriage_ENG.pdf

¹³⁶ Ibid

¹³⁷ Ibid

¹³⁸ A period of feminist activity in the 19th and 20th century working towards suffrage for women

¹³⁹ <https://www.ohchr.org/EN/ProfessionalInterest/Pages/MinimumAgeForMarriage.aspx>

December 1979: The Convention on the Elimination of All Forms of Discrimination against Women is adopted. Being the culmination of over thirty years of work, this Convention takes an important place in bringing females into the focus on human rights concerns.¹⁴⁰

November 1989: The Convention on the Rights of the Child (CRC) is signed, becoming the most widely ratified human rights treaty in the world. Recognizing a child as anyone under 18, the UN creates a specific age basis for the definition of a child.¹⁴¹

2008: Nujood Ali, a ten-year-old child bride, obtains a divorce against her middle-aged ex-husband, breaking Yemeni tribal tradition. In the years to come, she will become a central figure to Yemen's movement against forced child marriage.¹⁴²

2010: The International Centre for Research on Women¹⁴³ releases a statement: "If present trends continue, 142 million girls will be married before their 18th birthday over the next decade. That's an average of 14.2 million girls each year."¹⁴⁴

November 2011: South Asia Initiative to End Violence Against Children (SAIEVAC), becomes an officially recognized regional inter-governmental body. The countries working to end violence against children include Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka.

October 2012: The first International Day of the Girl is celebrated. The day aims to address the challenges girls face, while promoting their empowerment and the fulfillment of their human rights. UN Secretary-General António Guterres says, "on this International Day of the Girl, let us recommit to supporting every girl to develop her skills, enter the workforce on equal terms and reach her full potential."¹⁴⁵

September 2013: Rawan, an 8-year-old Yemeni child bride, dies of internal injuries suffered on her wedding night after forced intercourse with her adult husband.¹⁴⁶ International outrage from the global community highlights the controversial legality of child marriage in Yemen. However, local officials deny that the allegations of Rawan dying are true.¹⁴⁷

September 2014: A landmark resolution is passed, calling for a ban on child marriage. The UN Resolution on Child, Early and Forced Marriage is supported by 116 Member States. The resolution calls on countries, with the participation of girls, youth organizations, religious

¹⁴⁰ Ibid

¹⁴¹ Ibid

¹⁴² <http://www.globalinfluence.world/en/leader/nujood-ali/>

¹⁴³ A global research organization which identifies women's contributions and obstacles that prevent gender equality

¹⁴⁴ <https://www.icrw.org/about/>

¹⁴⁵ <https://www.un.org/en/events/girlchild/>

¹⁴⁶ <https://www.theguardian.com/global-development/2013/sep/11/yemen-child-bride-dies-wedding>

¹⁴⁷ <https://www.cnn.com/2013/09/15/world/meast/yemen-child-bride/index.html>

leaders, and more, to develop and implement holistic strategies to eliminate child marriage and support already married girls.¹⁴⁸

September 2015: The Sustainable Development Goals, a global agenda developed by UN Member States, is created. Goal 5, which aims to achieve gender equality and empower all women and girls, specifically targets the elimination of child marriage.¹⁴⁹

March 2016: UNICEF introduces a new global programme, UNFPA-UNICEF Global Programme to Accelerate Action to End Child Marriage, working with various governments with high prevalences of child marriage to uphold the rights of adolescent girls.¹⁵⁰ UN Population Fund's Executive Director, Dr. Babatunde Osotimehin, states at the launch, "choosing when and whom to marry is one of life's most important decisions... child marriage denies millions of girls this choice each year."¹⁵¹

2017: Pakistan creates a National Education Policy that focuses on eliminating gender disparity in education and encouraging families to send girls to school in order to prevent child marriage.¹⁵²

September 2017: The United Nations Human Rights Council adopts the first-ever resolution about child, early, and forced marriages. It is co-sponsored by a cross-regional group of over 100 countries.¹⁵³ Among these countries include those with high rates of child marriage: Ethiopia, South Sudan, Sierra Leone, Chad, Guatemala, Honduras and Yemen.

May 2018: Democratic Governor John Carney of Delaware signs a bill that declares it illegal for anyone under age 18 to be married, even with parental consent. It is the first state in the United States to ban child marriage under all circumstances.¹⁵⁴

Historical Analysis

Throughout history until the 20th century, child marriage was the norm in most parts of the world.¹⁵⁵ The average life expectancy was only 30-45 years of age; girls were often married younger to reproduce quicker. Typically, they were married off as soon as they reached puberty (ages 8-13)¹⁵⁶ or younger. For instance, the marriage of Henry the VIII and Catherine of Aragon in 1501 occurred when they were eleven and twelve, respectively. During the sixteenth century in Northern England, canon (Roman Catholic) law was practised

¹⁴⁸ https://www.who.int/pmnch/media/events/2014/child_marriage/en/

¹⁴⁹ <https://sustainabledevelopment.un.org/post2015/transformingourworld>

¹⁵⁰ https://www.unicef.org/media/media_90394.html

¹⁵¹ <https://www.weforum.org/agenda/2016/09/these-are-the-countries-where-child-marriage-is-legal/>

¹⁵² <http://www.moent.gov.pk/userfiles1/file/National%20Educaiton%20Policy%202017.pdf>

¹⁵³ <https://www.girlsnotbrides.org/states-adopt-first-ever-resolution-on-child-marriage-at-human-rights-council/>

¹⁵⁴ <https://www.cnn.com/2018/05/12/us/delaware-child-marriage-ban/index.html>

¹⁵⁵ <https://www.worldatlas.com/articles/child-marriage-rationale-historical-views-and-consequences.html>

¹⁵⁶ <https://www.girlshealth.gov/body/puberty/timing.html>

among the majority of citizens. This law decreed that no child under the age of seven could contract to a marriage, but not all parents followed this directive. Above the age of seven, the contract could be made, but the marriage was not considered legitimate unless both parties agreed to the marriage at the age of consent. The Roman Catholic Church legally defined this age as twelve for girls and fourteen for boys. The average age when children were married varied between nine to eleven years old. However, children as young as two and three were often taken to church and helped to recite vows of future consent.¹⁵⁷ Marriages were typically arranged with the good of the family in mind and not the happiness of the betrothed couple, with the promise of land or money usually being the motivator.¹⁵⁸ Additionally, although technically illegal, marriage between step-children was also common, generally fueled by a desire to protect the family's assets. Much unlike the child marriages we see in the status quo, children in North England were not expected to conform to the expectations of adult marriage in anything other than marital status.

In Ancient China, women did not enjoy the same social or political status that men had. Wives were considered not much more than a physical piece of her husband's property.¹⁵⁹ This is further illustrated in the ancient practice of foot binding during the Tang Dynasty (618-907 CE)¹⁶⁰ up to the early 20th century. Girls as young as three-years-old had their feet crushed in bindings, under the belief that small feet would appeal to her future husband. Marriages were typically arranged by both sets of parents. Economic and social considerations were taken into account when creating arrangements. In fact, there were even professional matchmakers to find suitable pairings who would often consider astrology when guiding the selections. Despite child brides being forbidden by law, many young girls were married off. The typical marrying age, however, was early twenties for men and late teens for women. Couples often met for the first time on their wedding day. In Chinese law, a man could divorce his wife for a number of reasons, including failure to bear a son, evidence of being unfaithful, lack of filial piety to the husband's parents, theft, suffering an infectious disease, jealousy, and even talking too much. To modern eyes, these reasons seem superficial. However, in ancient Chinese society, divorce was a serious action with negative social repercussions for both parties.

During the 18th century, many Western late teens in countries such as France and America began courting for spouses.¹⁶¹ This was considered the first step into adulthood. Often unchaperoned, young men and women would meet at a variety of events: balls, parties, church and neighbours' homes. Most men waited until they had completed their education and attained some sort of financial security before proposing marriage. The average age for a man to get married in Virginia, United States, for example, was in his mid-twenties.¹⁶²

¹⁵⁷ Ibid

¹⁵⁸ <http://www.auswhn.org.au/blog/child-marriage/>

¹⁵⁹ <https://www.ancient.eu/article/1136/women-in-ancient-china/>

¹⁶⁰ https://www.ancient.eu/Tang_Dynasty/

¹⁶¹ <https://www.history.org/history/teaching/enewsletter/volume7/mar09/courtship.cfm>

¹⁶² Ibid

Marriage was simply seen as the next logical step in life. After completing domestic training, young Caucasian women would have more freedom in their late adolescence than they would ever have again. Courting gave women power in a patriarchal society. It was completely their decision to accept or reject a suitor. While some women began courting at age fifteen, most deferred marriage until their early twenties. Others married quickly in fear that waiting too long would eliminate the choice of husbands. Marriage for women was a radical milestone in their lives — it entailed becoming an adult and forming a new family. The choice of a husband was incredibly important; once made, only death could undo a marriage.¹⁶³

Over history, religion had a strong influence on the marriageable age. Christian ecclesiastical law, for instance, forbade marriage of a girl before the age of puberty.¹⁶⁴ Hindu Vedic scriptures mandated the age of a girls' marriage to be three years after the onset of puberty.¹⁶⁵ Jewish scholars strongly discouraged marriages before the onset of puberty. In Islamic practice, however, marriage was permitted for girls under age 10, as Sharia law is based in the practices of Muhammad, the Prophet who married Aids, his third wife, when she was around six-years-old.¹⁶⁶

In the 20th century, countries began to develop quickly and radically. The rise of first-wave feminism gave women more freedom. Women began to receive further access to education, gain the ability to vote, and enter the workforce. As there were massive improvements in average life expectancy due to advanced medical technology, the practice of child marriage began to be questioned. In developed countries such as Canada, United States, Denmark and Australia, the rate of child marriage went down significantly.¹⁶⁷ As a result, the recognition of child marriage as a harmful practice has gained prominence on the international stage.¹⁶⁸

Past UN Action

UNICEF has helped bring together countless countries to ratify and sign treaties, ensuring their support to help prevent child marriage. These include the CRC and The Convention on the Elimination of All Forms of Discrimination against Women. These resolutions help build consensus on the urgent need to address the issue in international fora. In September 2013, for example, over 100 countries co-sponsored a resolution on child, early, and forced marriage with the Human Rights Council. The resolution recognized child marriage as a human rights violation that "prevents individuals from living their lives free from all forms of violence" and negatively impacts "right to education, and the highest attainable standard of health, including sexual and reproductive health". Countries who have given their support include even those with high rates of child marriage, such as Ethiopia,

¹⁶³ <https://ctlsites.uga.edu/whatthehistory/marriage-in-14th-century-england/>

¹⁶⁴ Burn, Richard, and Robert Phillimore, In The Ecclesiastical Law, 9. Vol. 4. Sweet, 1842

¹⁶⁵ MacDonell Keith, Vedic, Index of Names and Subjects - An Encyclopedia, John Murray, 1912.

¹⁶⁶ Ibid

¹⁶⁷ Ibid

¹⁶⁸ Ibid

Guatemala, Sierra Leone, Honduras and Yemen. Treaties allow for welcome development in global efforts to prevent and eliminate the practice of child marriage. Governments from around the globe negotiate the policies and frameworks that they can implement into their own legislation.

During the yearly sessions of the UN General Assembly, important issues that intrude on an individual's human rights are brought to light. Every 15 years, an ambitious course for the future of human development is created. This global agenda, crafted by governments, civil society, the private sector, academia, the UN system, and concerned individuals, help implement this agenda from the local to global levels so all people can live safer, more equal lives. In September 2015, The Sustainable Development Goals (SDG), was formed. It is an ambitious framework with 17 goals that the UN hopes to complete by 2030.¹⁶⁹ Goal 5.3 is to eliminate all harmful practices, such as child, early, and forced marriage and female genital mutilation. In previous years, other UN development goal agendas did not mention child marriage, so this was seen as an important milestone in the prevention of this practice.¹⁷⁰ Following the creation of the SDG, governments across the globe began taking measures to combat the child marriage system.. For instance, the Ghanaian government amended the criminal code to make early and forced marriage an offence. The First Lady of Burkina Faso, in addition, helped develop a national campaign against child marriage, *Filles Pas Epouses*, translated as *Girls Not Brides* in English.¹⁷¹

UNICEF is dedicated to the creation and development of programs to end child marriage. In 2016, UNICEF, along with United Nations Populations Fund, launched an innovative global program to tackle child marriage in 12 of the countries with the highest prevalence of child marriage: Bangladesh, Burkina Faso, Ethiopia, Ghana, India, Mozambique, Nepal, Niger, Sierra Leone, Uganda, Yemen and Zambia. UNICEF's website states that the "UNFPA-UNICEF Global Programme to Accelerate Action to End Child Marriage promotes the rights of adolescent girls to avert marriage and pregnancy, and enables them to achieve their aspirations through education and alternative pathways. The Global Programme supports households in demonstrating positive attitudes, empowers girls to direct their own futures, and strengthens the services that allow them to do so. It also addresses the underlying conditions that sustain child marriage and advocates for laws and policies that protect girls' rights while using robust data to inform such policies."¹⁷² This program involves engaging youth through services and campaigns. In Sierra Leone, Uganda, Zambia and Mozambique, UNICEF created a mobile social platform system which once allowed over 470,000 users aged 10-24 to voice their opinions on child marriage and discuss issues that affected them. In Mozambique, the Global Programme partners with the Interfaith Council of

¹⁶⁹<https://www.theguardian.com/global-development-professionals-network/2015/apr/10/sustainable-development-goals-ending-child-marriage-target>

¹⁷⁰Ibid

¹⁷¹<https://www.girlsnotbrides.org/too-young-to-wed-empowering-girls-as-leaders-of-tomorrow/>

¹⁷²<https://www.unicef.org/protection/unfpa-unicef-global-programme-accelerate-action-end-child-marriage>

Religions and the Inter-religious Campaign against Malaria in Mozambique (PIRCOM) to bring different religions together to end child marriage. Religious leaders are trained on a package developed together with the Ministry of Health. This package includes sessions dedicated to debates on sexual and reproductive health issues and child marriage prevention, rooted in biblical and Qur'anic verses. In addition, counselling and health services are established in these twelve countries. 70 new health services centres were established in Bangladesh in 2017, with over 68,000 adolescents receiving counselling help. Moreover, Rapariga Biz, a UNFPA program in Mozambique, pairs girls with a mentor who informs them of their human rights and sexual health knowledge. "I had not heard of contraceptives before I met the mentor in my community and became part of Rapariga Biz," says Marcia, 19 to UNICEF. "Now I am an empowered young woman. I know how to protect myself and to stand up for my rights – rights I did not know I had before. My mentor taught us to stand up for ourselves and to make healthy decisions. Now I know how to say no, and that using contraceptives is my right."¹⁷³

Current Situation

In the status quo, child marriage rates are declining among girls under age 15. However, the practice is still common in several countries. UNICEF data indicates that of the world's 1.1 billion girls, 22 million are already married, with the risk for hundreds of millions more increasing as populations grow. Regardless of the geographical and cultural settings, child marriage directly correlates with conditions that are typically characterized for development, such as rural areas, low or no education, and poverty. Girls living in rural areas of the developing world, where ideas about modernity and interventions to counter these harmful practices are slower to understand, are more likely to marry at younger ages. It is no surprise that the majority of child marriages take place in South Asia and sub-Saharan Africa, where progress for girls' access to education is slower.¹⁷⁴ Household wealth is also a predictor of the marriage age. In the Dominican Republic, for instance, at least half of the poorest women married around age 17, compared to age 21 among the richest women.¹⁷⁵

Child marriage is a form of gender-based discrimination that impacts predominantly girls and women. Boys are also victims of early marriage, but girls are overwhelmingly more affected. In the Republic of Moldova, 15% of women aged 20 to 49 were married before the age of 18, compared to the 2% of men.¹⁷⁶ Child marriage affects girls more deeply, impacting their sexual health and curbing overall personal development. Negotiating power in the family for females tends to be weak, while males are allowed higher decision-making capacity about their future. Adolescent girls are rarely consulted; arranging a marriage remains the prerogative of the parents. Children enter into marriage without being granted the opportunity and the right to give their full, informed, and free consent. Culturally, girls are

¹⁷³ <https://www.unicef.org/media/56736/file>

¹⁷⁴ United Nations Population Fund, "Marrying Too Young. End Child Marriage", (2012), pp.34-35

¹⁷⁵ Ibid

¹⁷⁶ Ibid

not expected to oppose their parents decisions. Non-consensual marriage may result in self-destructive behaviors by the child, such as fleeing, committing suicide, or setting themself on fire. According to ICRW, around 2,400 women in Afghanistan commit self-immolation every year, mainly impelled by child and forced marriages, in addition to sexual and domestic violence.¹⁷⁷

In societies such as India where the practice of child marriage is widespread, new legislation against child marriage may generate tension in the highly conservative communities. The individual right to be free from child marriage may not immediately internalise. Marriage within these communities are guided by involvement from elders and community members, rather than merely the two betrothed. Deviating from the norm in these communities is rare. This attitude results in perpetuating the practice from generation to generation.¹⁷⁸

The sanctity of marriage is upheld by religious belief and practice. Everywhere in the world, weddings carry ancient and profound symbolic significance for a couple and the communities that welcome them into their next stage of life. Religion often translates into social norms and customary law, resulting in standard beliefs, attitudes, and behaviors. Traditional music, dance, folk stories and various forms of art have helped perpetuate child marriage cultures that communities pass on across decades. For instance, some Muslim communities desire for a daughter to marry before she attains sexual maturity, although the consent of the concerned bride is normally advised. Orthodox Jewish circles are also characterised by arranged early marriages and large families. Hindu scriptures prescribe that parents marry both sons and daughters young, particularly marrying off daughters before they reach puberty. Hindu parents can earn pious credits by practicing kanyādān (literally, ‘the gift of a virgin’), a wedding ritual that is carried out in a variety of ways, mainly in South Asia.¹⁷⁹ One ritual includes providing food, which is considered supreme from the perspective of the receiving couple, as food is needed for survival. Kanyādān rituals can also be performed as part of the wedding ceremony, by singing parents mourning the ‘loss’ of their daughter or focusing on the groom by comparing him to the Hindu deity, Rama. Throughout the wedding, the groom is considered a representation of Lord Vishnu, a Hindu deity. Some Hindus recognize him as the divine being, from which all things come. During the ceremony, the parents offer their daughter, an important part of their existence, to the Supreme deity (the groom). Following this ritual it is believed that the parents of the bride will be absolved of all their earthly sins and they attain *moksha*, relief from the cycle of birth, death and rebirth. Equivalent traditions can be cited in Jewish or Christian weddings, where the father of the bride walks her to the wedding altar and ‘gives her away’ to the groom.

¹⁷⁷ International Center for Research on Women (ICRW), United Nations Population Fund (UNFPA), Australian Agency for International Development (AusAID), Asian Forum of Parliamentarians on Population and Development (AFPPD), “Child Marriage in Southern Asia: Policy Options for Action”, (2012).

¹⁷⁸ PRAXIS, Institute for Participatory Practices, “Marriage Can Wait, Our Rights Can’t: A Study Exploring Causes, Impacts and Resistance in the Context of Early Marriage in Bihar and Jharkhand”, (2012), p.25.

¹⁷⁹ Ibid

Possible Solutions

Educating Girls to Resist Against Coercive Practices

Girls who learn about their human rights are informed about potential employment and education possibilities. They also acquire valuable negotiation and leadership skills, which allows them to be better equipped to seek alternatives to marriage. As girls enhance their potential social assets, their statuses in the community grow, and they are treated with more respect. This improves the view on women's self-confidence and capabilities. Girls' empowerment can be supported through life skills training, finding safe spaces for girls to freely voice their opinions, and developing peer support/mentor networks. For example, discussing the social constructs of sexuality in co-ed adolescent peer groups can strongly benefit all genders by rejecting the notion that men can satisfy their sexual desires freely, while women submissively accept men's behaviours. Opportunities for socialization and dialogue among adolescent boys and girls should increase to create a new generation of individuals who reject child marriage, appreciate the importance of education, and believe in gender equality.

Patriarchal norms and structures that prevent girls from enjoying the basic human right to be free from sexual violence and child marriage should be challenged by joint efforts of governments and civil society. A sense of self-awareness being instilled in girls, especially as they enter adolescence, will help strengthen their resilience to prevent sexual attacks and defy societal expectations to marry and conceive young. It may be necessary to specifically target boys and men to change attitudes and behaviors that perpetuate child marriage. Education, information, and awareness-raising activities at the community level are key to turning victims into change-makers.

Education of girls is directly associated with deferred marriage and pregnancy. An increase in the level of compulsory education could be an effective strategy to prolong the time when girls are considered unavailable for marriage. At the community level, teachers, social workers, the police, government members, and parents should act as gatekeepers to ensure that children are retained in the safety net of school. School should be developed as a girl-friendly service, offering a relevant and inclusive curriculum, as well as a safe environment. In addition, they should help girls develop communication skills, learn to negotiate with others, and expand social networks. They should also adopt non-discriminatory policies by including those girls who are married, pregnant, or a mother. School curriculums should be oriented to educate both girls and boys on women's and children's rights, gender equality, sexual violence, and child marriage.

Fostering Equitable Social Norms and Practices

Social norms are key to strengthening the cohesion of the environments that children grow up in. Communities, including adolescent girls and boys, must be engaged in understanding the harms that result from a web of practices that justify child marriage. The primary decision-makers of the community (namely fathers, husbands, and parents-in-law) who determine when and whom children should marry, should be engaged in changing social norms. This could start with reviewing customarily held beliefs, attitudes, and behaviors, and committing to developing ways to restate what is best for children. The entire community should be sustained in a process of self-analysis, aimed at developing more gender equitable world views. Comprehensive public information and awareness-raising campaigns should involve young people at both national and local levels to enhance knowledge among citizens and the media. The perception that child marriage protects girls from sexual harassment must be challenged using a culturally-sensitive approach which engages communities in an exploration of alternatives. Public displays of efforts to prevent against child marriage from international and local levels help to reinforce commitment against harmful practices. In 2012, the official theme of the inaugural Day of the Girl was “ending child marriage”, which helped raise the profile of the issue of child marriage on a global scale. The involvement of leaders and respected personalities, such as community elders, older women, religious authorities, schoolteachers, or policymakers, can be crucial in creating social transformations that value gender equality. Considering the prominent role that religion plays in child marriage, religious leaders and theologians can play a primary role in challenging and defying faith-based motivations for harmful practices.

Addressing Poverty

Child marriage is exacerbated by poverty; therefore, it is critical to address the financial motivations behind the practice. Financial incentives should be introduced to help families address the economic reasons prompting them to marry their children off. This could help reduce the prevalence of child marriage among impoverished and/or indebted families. Introducing economic opportunities, such as training and livelihood skills, work with entrepreneurship schemes such as Kiva¹⁸⁰, or access to independent incomes for adolescents, allow girls to marry without succumbing to the extortion of the bride's dowry. Providing financial aid to vulnerable social groups in the form of scholarships or subsidies is an effective way of leveraging a girl's education to eliminate child marriage. Out of school, rural or illiterate girls should be given access to non-formal technical vocational education.

Ensuring Health Education

Empowering girls with knowledge and information on their sexual and reproductive health and rights is vital to enabling them to take control of their life decisions. Sexual and life-skills education, together with knowledge of rights and responsibilities, help girls achieve the necessary self-esteem and confidence to decide whom and when they are going to marry.

¹⁸⁰ A non-profit organization that allows people to lend money via the Internet to low-income entrepreneurs and students

It also allows them to engage in intergenerational conversation with adult decision-makers in their families and communities on their personal life choices for their future. By making confidential healthcare services that specifically address youth sexual health needs available, girls can enhance their knowledge about sexuality. Furthermore, these services help females make informed decisions with regards to family planning contraception, responsible sexual behaviours, prevention of sexually transmitted diseases and protection from all forms of violence. Youth-friendly reproductive and sexual health services must provide education and counseling on the dangers of early pregnancy to young girls and their family members. Obstetric services should be equipped to provide infant care to pregnant teenagers and manage the complications of girls' immature bodies to reduce maternal mortality. Appropriately trained healthcare providers, teachers, and other community volunteers can teach comprehensive sexuality and health education, promote change in sexually abusive patterns persistent among boys, and identify girls belonging to communities that practice early marriage in order to prevent them from becoming child brides.

Consistent Legal Framework

Legislation related to children should be developed in a way that clearly recognizes child and early marriage as a form of violence. Treaties such as the CRC and the Convention on the Elimination of All Forms of Discrimination against Women establish clear obligations with regard to the steps needed to abolish practices harmful to children. By developing and reviewing existing formal and customary laws, it would be beneficial to make them "compatible" with international and regional human rights standards, which condemn child marriage. Complying with international standards, national governments should set and enforce legal minimum of marriage at 18 years for both men and women, with or without parental consent. In addition, governments should uphold equality between males and females upon entering, during, and after the dissolution of marriage. Legislation should highlight that marriage or betrothal of a child has no legal effect, clarifying that non-consensual unions of underage individuals should be legally annulled.

Bloc Positions:

Africa

In sub-Saharan Africa, 40% of women are married as children.¹⁸¹ All African countries are faced with the challenge of child marriage, whether they experience high child marriage prevalence such as Niger (76%), or Algeria (2%). Poverty, gender, family honour, equality, and safety are all causes of child marriage across Africa. Tradition is one of the main factors of child marriage persisting in the region. In rural Northeast Ethiopia, *telefa* is a practice by which a man kidnaps, hides, and rapes a girl and then, as the father of her unborn child, can claim marriage. Gender and child marriage issues remain taboo and many of the attempts to end the practice are blocked by specific social or religious groups.¹⁸² Girls are also

¹⁸¹<https://www.girlsnotbrides.org/wp-content/uploads/2015/02/Child-marriage-in-Africa-A-brief-by-Girls-Not-Brides.pdf>

¹⁸² <https://www.girlsnotbrides.org/child-marriage/niger/>

often trafficked out of conflict zones for marriage, becoming ‘wives’ of members of non-government armed groups. In Uganda, Sudan, the Democratic Republic of Congo and the Central African Republic, the Lord’s Resistance Army¹⁸³ is noted for trafficking young girls.

Yemen

In the past decade, there has been a rise in child marriages in Yemen. This is a visible indicator of the current Yemeni war — child marriage has been used as a coping mechanism to protect the girls in order to sustain income to families. Girls in Yemen live in a patriarchal, male-dominated society, meaning they have little power to negotiate their own choices. Article 40 of the Personal Status Law in Yemen requires a wife's obedience to her husband and his consent to leave the home. There is also no minimum marriageable age in Yemen. The UN Child Rights committee has also expressed concern that girls within conflict-affected communities are being forced to marry members of the armed Ansar-al-Sharia terrorist group, as well as through “tourism” marriages for the purpose of sexual exploitation.¹⁸⁴

South Asia

The region of South Asia accounts for almost half of all child marriages in the world.¹⁸⁵ The legal status of child marriage in South Asian countries are defined by a complex web of national laws, including civil codes, criminal codes, and personal laws that sometimes contradict one another. For example, Muslim personal laws establish puberty - which is presumed to be 15 years of age - as the minimum age of marriage.¹⁸⁶ Since marriage is considered a contract under Muslim law, the marriage of a girl above this age without her consent is legally void. Communities often believe that religious/personal status laws supercede secular government laws, leading to child marriage. In India, child marriage has been prohibited by law for decades, yet it is widespread due to poor enforcement and countless exceptions to the general law that arise from religion-based laws. Traditional perceptions of females, issues with security, cultural and religious practices, and economic considerations help to perpetuate child marriage across this region.¹⁸⁷

United States

There is growing recognition that child marriage is a severe human rights violation within American society. Child marriage in the US is mostly driven by the belief that women and girls are somehow inferior to men and boys. In their federal system, state legislators set the minimum age of marriage for each state. The minimum age of marriage in most US states is 18, but exceptions for every state vary. In February 2017, a study revealed that over

¹⁸³ A heterodox Christian terrorist group operating in various parts of Africa

¹⁸⁴ Ibid

¹⁸⁵<https://www.girlsnotbrides.org/south-asian-governments-must-act-on-child-marriage-give-girls-the-rights-they-legally-deserve/>

¹⁸⁶https://www.reproductiverights.org/sites/crr.civicactions.net/files/documents/ChildMarriage_PersonalLaw_7.7.14.pdf

¹⁸⁷Ibid

248,000 children had been married in the US between 2000 and 2010, mostly to adult men.¹⁸⁸ As a leading donor for International Development, the United States could play an important role in the global movement to end child marriage.

Europe

The official marriageable age varies across European countries. The European Union has long been involved fighting against child marriage by launching initiatives and action plans. They have also funded over £6 million to the UNFPA-UNICEF Global Programme to accelerate action to end child marriage.¹⁸⁹ In Eastern European nations such as Albania and Ukraine, there is no specific legislation criminalising child marriage. In addition, enforcement of legislation when ethnic minorities are involved, such as Ukrainian or Serbian Roma communities, is difficult as authorities often turn a blind eye, choosing to not interfere for ‘cultural’ reasons.¹⁹⁰

The Middle East

People of various Islamic religions and sects support child marriage. Muslims who follow conservative interpretation of sharia law argue that Islam permits child marriage, as the Quran specifies girls can be married upon reaching puberty. Attitudes toward child marriage are deeply intertwined with religion, and transitioning into rights-based laws will likely result in massive backlash from religious groups. In 2010, Yemenese legislator Sheik Mohammed al-Hazmo condemned the western opposition to child marriage in his statement, “The West wants to teach us how to marry, conceive and divorce. This is cultural colonization that we reject.”¹⁹¹ Countries should protect religious customs, rights and laws for those individuals who practice.

¹⁸⁸ <https://www.girlsnotbrides.org/child-marriage/united-states/>

¹⁸⁹ [http://www.europarl.europa.eu/RegData/etudes/ATAG/2018/623526/EPRS_ATA\(2018\)623526_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/ATAG/2018/623526/EPRS_ATA(2018)623526_EN.pdf)

¹⁹⁰<https://eeca.unfpa.org/sites/default/files/pub-pdf/Child%20Marriage%20EECA%20Regional%20Overview.pdf>

¹⁹¹<https://publichealth.berkeley.edu/news-media/publications/berkeley-health-magazine/bhm-features/child-marriage/>

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