



MINISTRY OF GENDER,
CHILDREN AND SOCIAL
PROTECTION

National Strategic Framework on Ending Child Marriage in Ghana 2017-2026



REPUBLIC OF GHANA
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November 2016

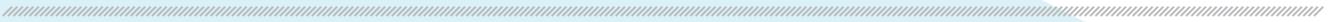


The UNFPA-UNICEF Global Programme
to Accelerate Action to End Child Marriage in Ghana



Canada





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FOREWORD

Child marriage is a global phenomenon, recognized as one of the major impediment to the development of a country and the full realization of the rights of children. In the year 2014, the Government of Ghana accepted the universal call to end child marriage in accordance with several international conventions and declarations and took measurable steps to address the issue comprehensively across the nation. A national campaign to end child marriage in Ghana was officially launched on 10th February, 2016 under the auspices of His Excellency John Dramani Mahama, President of the Republic of Ghana and First Lady H. E. Lordina Mahama with support from UNICEF-Ghana.

The Ministry of Gender, Children and Social Protection through the Child Marriage Coordinating Unit plays a leading role in the coordination of national efforts towards curbing and ultimately ending child marriage by 2030. To ensure effective, well-structured, well-guided collaboration between state and non-state institutions along with all relevant stakeholders, a National Strategic Framework on Ending Child Marriage in Ghana was required. The Ministry initiated a process that lasted a period of one year towards the development of a comprehensive ten (10) years framework along with a two (2) year work plan.

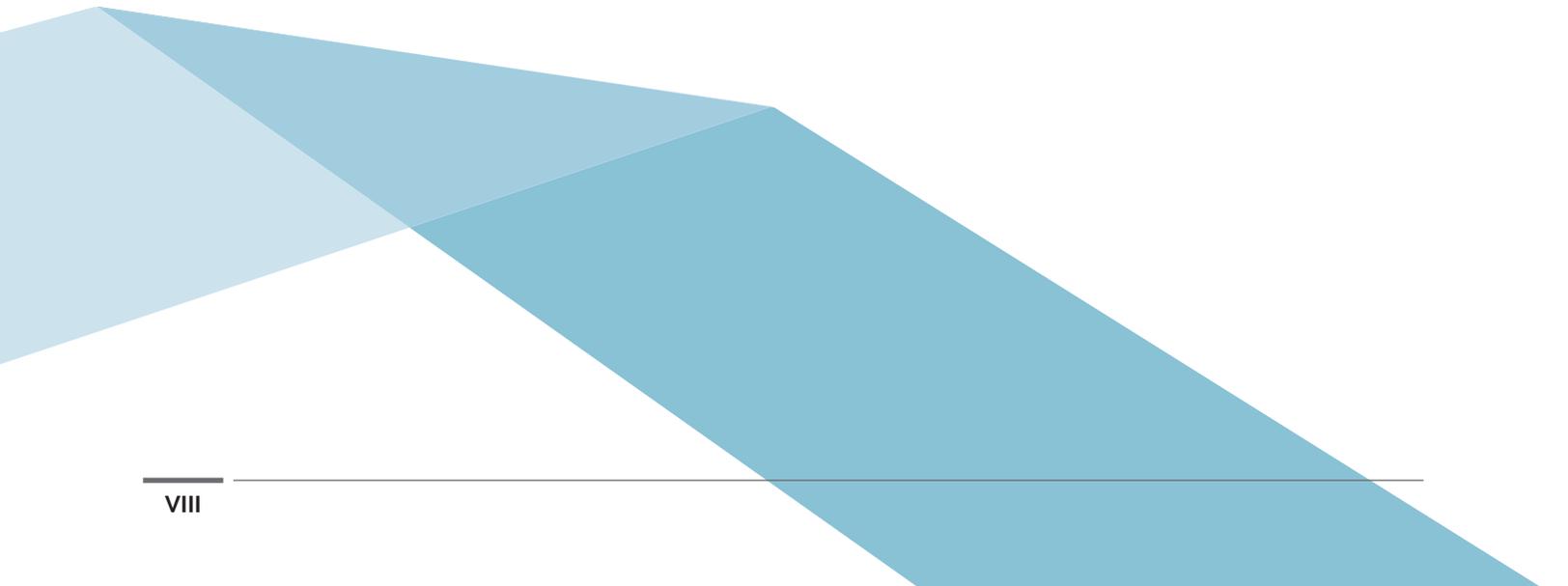
The Strategic Framework is an operational document that mirrors Ghana's pledge to end child marriage and teenage pregnancy; a phenomenon that has been identified as a leading influencing factor of child marriage in the country. This framework ultimately seeks to provide an integrated vision and clear direction to all sectors at various levels involved with prevention and response efforts at addressing child marriage in Ghana. The document sets out clear national goals, objectives, strategies and key interventions across different sectors that will lead to the gradual elimination of the practice. The document was developed through a hands-on participatory process involving a wide range of stakeholders who provided in-depth information, data and perspective on effective ways Ghana can address the issue.

Impressed by the overwhelming level of commitment and collaboration by all stakeholders and the unflinching support of our development partners, the team at the Ministry is confident that this framework will serve as an effective guide towards our joint efforts in ending child marriage in Ghana.



HON. NANA OYE LITHUR
MINISTER FOR GENDER,
CHILDREN AND SOCIAL PROTECTION

November, 2016



ACKNOWLEDGMENTS

The development of this framework was led by the Child Marriage Coordinating Unit of the Ministry of Gender, Children and Social Protection with support from UNICEF-Ghana. The Ministry expresses gratitude to institutions and individuals who were instrumental in the development and finalization of this document.

We specially acknowledge the political commitment and support granted by His Excellency, John Dramani Mahama; President of the Republic of Ghana and the First Lady, Dr. Lordina Mahama towards ending the practice of child marriage in Ghana.

The Minister for Gender, Children and Social Protection, Hon Nana Oye Lithur has provided solid leadership and technical guidance towards the development of this document. She also demonstrated profound commitment towards addressing child marriage in Ghana by setting up the Child Marriage Unit and bringing political attention to the issue. Also, the support of the Chief Director, Mr. Kwesi Armo-Himbson was critical during consultations on development of the framework. The Acting Executive Secretary of the Domestic Violence Secretariat, Ms Victoria Natsu has also been instrumental in the drafting process.

The dedication and hardwork of the Core-Working Group, tasked to review and ensure that the framework meets recommendable standard, needs to be acknowledged. We are also thankful to the Advisory Committee to the Ending Child Marriage Campaign led by Naa Prof J. S. Nabila for their technical support and guidance. The development of the framework would not be possible without the commitment and contribution of our key stakeholders and all individuals and groups who shared insights and information to enhance the drafting of the document.

Ms Dinah Adiko, the National Campaign Coordinator and her team provided technical advice and guidance to the entire process leading to the development of this document. The team members who supported this work are Foster Adzraku, Selina Asare, Dieu-Donne Gameli, Nana Anibea Akuffo, Mr. Ebenezer Donkor. Thank you to the entire team for a job well done.

Special gratitude to Ms. Taaka Awori who served as the lead consultant in the development of the framework.

Finally, we highly appreciate Development Partners such as UNICEF, the Royal Netherlands Embassy and the Canadian High Commission for the continuous support.

ACRONYMS

AU	African Union
CBOs	Community Based Organisations
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CHRAJ	Commission on Human Rights and Administrative Justice
CRC	Convention on the Rights of the Child
CRVS	Civil Registry and Vital Statistics
DfID	Department for International Development, UK
DHS	Demographic Health Survey
DoC	Department of Children
DOVVSU	Domestic Violence and Victim Support Unit
DPs	Development Partners
DSD	Department of Social Development
FBOs	Faith Based Organisations
GES	Ghana Education Service
GHS	Ghana Health Service
GLSS	Ghana Living Standards Survey
GSS	Ghana Statistical Service
HIV	Human Immunodeficiency Virus
IEC	Information Education and Communication
INGOs	International Non-Governmental Organisation
M&E	Monitoring and Evaluation
MICS	Multiple Indicator Cluster Survey
MoE	Ministry of Education
MoFEP	Ministry of Finance and Economic Planning
MoGCSP	Ministry of Gender Children and Social Protection
MoH	Ministry of Health
NCCE	National Commission on Civic Education
NDPC	National Development Planning Commission
NGO	Non-Governmental Organisation
SDGs	Sustainable Development Goals
SRH	Sexual and Reproductive Health
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNFPA	United Nations Population Fund
UNICEF	United Nations Children's Fund

A. BACKGROUND AND CONTEXT

INTRODUCTION

According to data released by UNICEF, 15 million girls worldwide marry before their 18th birthday. A breakdown of the above reveals that 41,000 girls get married every day; 28 girls get married every minute and a girl gets married every two seconds.¹ Whilst South Asia records the largest number of child brides, the numbers in sub-Saharan Africa are equally alarming. If nothing is done to stem the worrying trends in this area, it is estimated that the number of child brides in Sub-Saharan Africa could double by 2050. In effect, sub-Saharan Africa will overtake South Asia to become the region with the largest number of child brides in the world.

Child marriage, defined as a marriage where one or both parties are below 18 years of age, is fundamentally a human rights issue. It leads to a denial of affected girls' and boys' rights to education, health and security and the right to choose when and whom to marry. Furthermore, child marriage robs the affected children of their dignity and prevents them from realizing their full potential and contribution to society. Though child marriage involves both sexes, girls are disproportionately affected. Globally, more than 700 million women living today were married before their 18th birthday. Out of this number, more than one in three were married before they turned 15. In sub-Saharan Africa, a staggering 40% of girls marry before age 18. African countries account for 15 of the 20 countries with the highest rates of child marriage.²

Given the enormity of the problem in the world, global momentum to address child marriage is increasing. In September 2013, the United Nations (UN) General Assembly adopted a resolution banning child marriage, which Ghana supported.³ In 2015, global leaders included a target to end child marriage under Goal Five (Achieve Gender Equality and Empower all Women and Girls) of the recently adopted United Nations Sustainable Development Goals (SDGs). At the regional level, African leaders have also shown their commitment to ending child marriage. In 2014, the African Union (AU) launched a two-year Continental Campaign to end child marriage. The following year in 2015, the AU together with the Government of Zambia convened a high level Girl's Summit to enhance continental awareness of the effects of child marriage and to accelerate the end of child marriage in Africa. The outcome of this Girls Summit to End Child marriage was a renewed commitment to eliminating child marriage in Africa no later than 2030. Funding and programming to address child marriage is also increasing. For example, the UNICEF-UNFPA Global Programme to Accelerate Action to End Child Marriage is being developed and supported in 12 countries by UNICEF and UNFPA with funding assistance from the Governments of the United Kingdom (UK), Canada, the Netherlands, Italy and the European Union (EU).

¹ See <http://www.girlsnotbrides.org/wp-content/uploads/2014/10/GNB-factsheet-on-child-marriage-numbers-Oct-2014.pdf>

² Human Rights Watch, "Ending Child Marriage in Africa." 2015 page 3.

³ See UN Resolution IA/HRC/24/L/34.

In Ghana, significant efforts are also underway to address child marriage. According to Ghana's 1992 Constitution, a person under the age of 18 is a child and therefore cannot marry or be given off in marriage. Under the leadership of the Ministry of Gender, Children and Social Protection (MoGCSP), the Government has launched an Ending Child Marriage Campaign, the National Gender Policy, Justice for Children Policy, the Child and Family Welfare Policy, etc, which engage different sectors of Government, Civil Society, Development Partners, media, children, religious and traditional leaders in a joint effort to eliminate child marriage in Ghana.

One of the priority actions of the **Ending Child Marriage Campaign** is the development of a 10-year National Strategic Framework to provide an integrated vision and a clear direction to all stakeholders. The Framework sets out:

- ▣ A National Goal;
- ▣ Objectives to achieve the National Goal;
- ▣ Priority strategies to achieve the stated objectives;
- ▣ Guiding principles to inform implementation of the strategies;
- ▣ The Processes and Mechanisms for Coordination of joint efforts;
- ▣ A Monitoring and Evaluation Framework; and
- ▣ An operational plan for 2017 and 2018

One of the key lessons emerging globally from the development of similar plans is that the Strategic Framework is more likely to be implemented if it is developed with significant involvement of the relevant stakeholders. This enables these actors not only to define the priority strategies to end child marriage but also to build a sense of joint ownership in implementation of the Strategic Framework. Accordingly, this document is the product of consultations with key stakeholders across Ghana. These include diverse Government agencies, Parliamentarians, civil society, development partners, traditional and religious leaders, parents and most importantly children who are at risk or have already been married.

1. Contextual Analysis: Child Marriage Globally, Regionally and in Ghana

This section of the Strategic Framework provides a contextual analysis of child marriage. It sets out the global, regional and local (Ghanaian) prevalence rates and then discusses the specific driving factors behind child marriage in Ghana. The section concludes by examining the impact of child marriage on children and girls in particular.

✔ Global Analysis Of Child Marriage

According to data released by UNICEF in July 2014, each year 15 million girls marry before the age of 18.⁴ As stated previously, each day 41,000 girls get married, every minute 28 girls get married and every two seconds a girl gets married.⁵ The data also indicates that more than 700 million women alive today were married or entered into a marital union before their 18th birthday – this is equivalent to 10% of the world's population (approximately 7.25 billion currently)⁶ with around one in three (about 250 million) entering into the union before the age of 15. The 2014 UNICEF statistics also show that 156 million men alive today were married before the age of 18 whilst 33 million were married before the age of 15.

Projections on child marriage in Africa are alarming. They indicate that due to population growth, the devastating consequences of child marriage are likely to affect an even larger number of girls in Africa in the coming years. If nothing is done to accelerate progress to the ending of child marriage, it is estimated that the number of child brides in Sub-Saharan Africa will double by 2050. Sub-Saharan Africa will then overtake South Asia to become the region with the largest number of child brides in the world.⁷

The data from UNICEF's 2014 report shows that child marriage among girls is most common in South Asia and Sub-Saharan Africa. The 10 countries with the highest rates are found in these two regions. In the table below, the Multiple Indicator Cluster Survey (MICS) and the Demographic and Health Surveys (DHS) reports from across various countries reflect the ranking of the top ten countries with the highest rates of the practice.

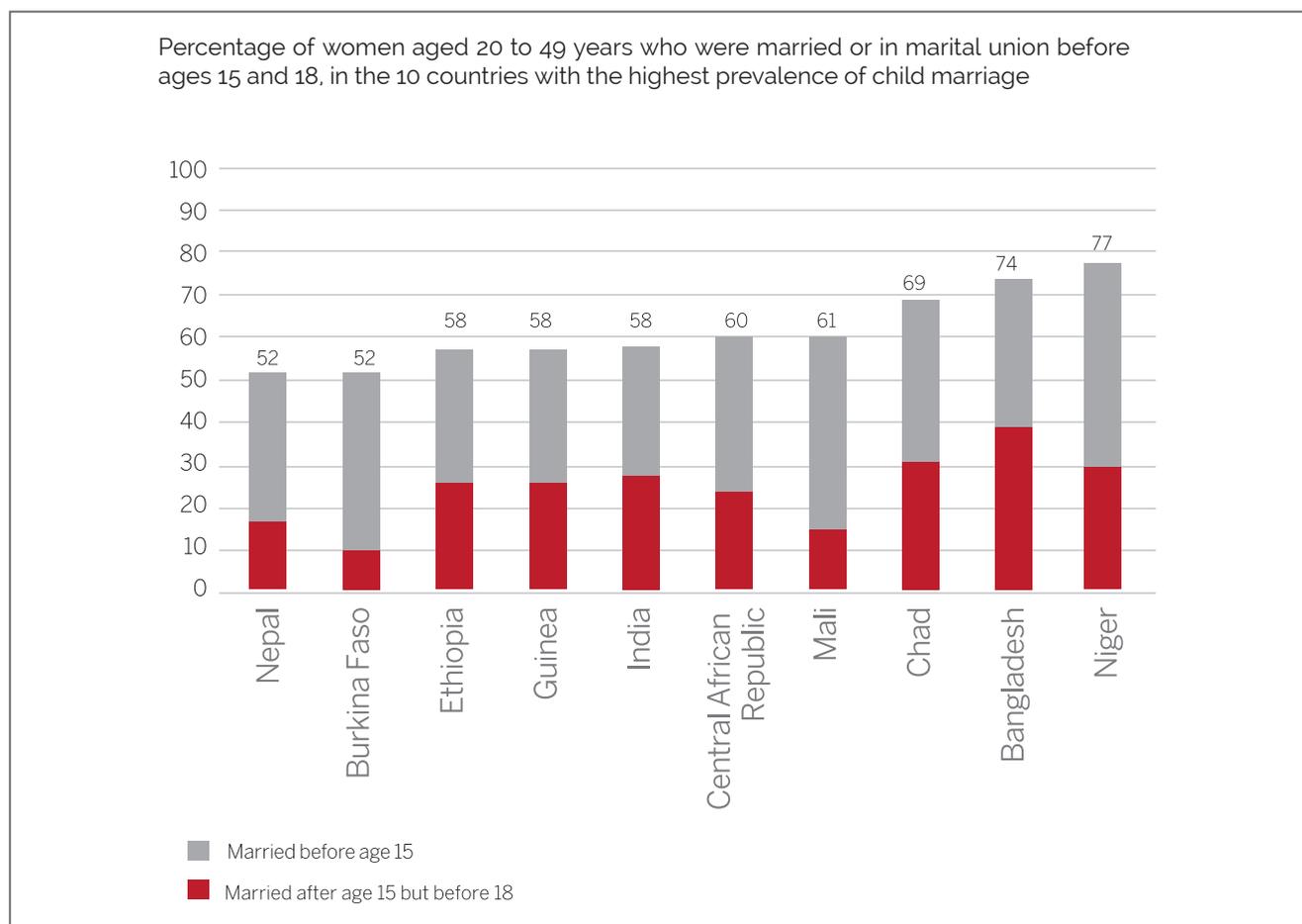
⁴ United Nations Children's Fund, Ending Child Marriage: Progress and Prospects, UNICEF, New York, 2015

⁵ <http://www.girlsnotbrides.org/wp-content/uploads/2014/10/GNB-factsheet-on-child-marriage-numbers-Oct-2014.pdf>

⁶ <http://esa.un.org/unpd/wpp/DataQuery/> total women or total population

⁷ United Nations Children's Fund, Ending Child Marriage: Progress and Prospects, UNICEF, New York, 2015

Figure 1: The 10 Countries with the Highest Rates of Child Marriage



Prevalence of Child Marriage in Ghana

On average, 1 out of 5 girls in Ghana is married before their 18th birthday. In other words, the percentage of girls between 20-24 years⁸ who were married or in a union⁹ by the age 18 is 21% nationally.¹⁰ This amounts to approximately 260,000 affected girls in the country¹¹.

However, for girls living in the three Northern Regions of Ghana (Northern Region, Upper East and Upper West regions), this number increases to 1 out of 3 girls (34%). Marriage before age 15 does occur, although it is rarer for girls in Ghana (national prevalence 5%).¹²

In Ghana, girls from rural areas are twice more likely to become child brides than those in urban areas.¹³ Similarly, girls from poorer households are four times more likely to marry than those from the richest households. The

⁸ **Methodological note:** Global consensus has been recently reached on the relevance of relying on data on women 20-24 when reporting on prevalence of child marriage. Prevalence figures provide a sense of risk - i.e. how many girls are at risk to become child brides, using a retrospective measure. Including older women in this measurement (as done in the past) would be misleading, since they were married decades ago, when the risk of getting married was larger. It is also possible to report on the percentage of adolescents (15-19 years) who are currently married. This measure, however, can give an incomplete picture of the risk, as those not married at the time of the survey are still exposed to the risk of marrying before they complete adolescence.

⁹ The term "in a union" is used because in Ghana many marriages are not formally registered but are actually informal unions or customary marriages

¹⁰ Ghana DHS 2014

¹¹ This is based on the 2010 Census and the DHS 2014

¹² DHS 2014.

¹³ Note that this data is available for the 15-49 age group only in MICS.

MICS 2011 data reveals 18% prevalence rate for girls in urban areas compared to 36% prevalence rate for girls in rural areas. In addition, it reported a staggering 41.2% prevalence rate for the lowest income quintile in comparison with a much lower 11.5% prevalence rate for the highest income quintile. Furthermore, across Ghana, uneducated young women are twice as likely to have married in childhood compared to those who attended secondary school or higher¹⁴.

Finally, the data vividly reveals how child marriage is a profound manifestation of gender inequality. It disproportionately affects girls over boys. Among boys aged 20-24 years, only 2% were married before the age of 18, compared to 21% of girls.

The Tables 2 and 3 in the next page show the regional breakdown of child marriage prevalence (for women in the 20-49 age group) in Ghana, based on MICS 2011 and DHS 2014 data.

However, it must be noted that global consensus has been recently reached on the relevance of relying on data on women **20-24** when reporting on the prevalence of child marriage. This is because the age group 20-49 years is less 'sensitive' to changes in trends occurred over recent years. It includes older women who were married decades ago when the risk of getting married was far higher.

Regrettably, MICS and DHS population samples for the age group 20-24 years in Ghana are currently not big enough to provide statistical evidence for regional breakdowns, therefore the current need to rely on the 20-49 age group for regional-level prevalence breakdowns. Future Household Surveys (including MICS and DHS) will ensure that relevant sample size for the age-group 20-24 (more sensitive to changes in recent years) will be collected and analyzed to become statistically representative also at sub-national level.

Table 2: MICS 2011

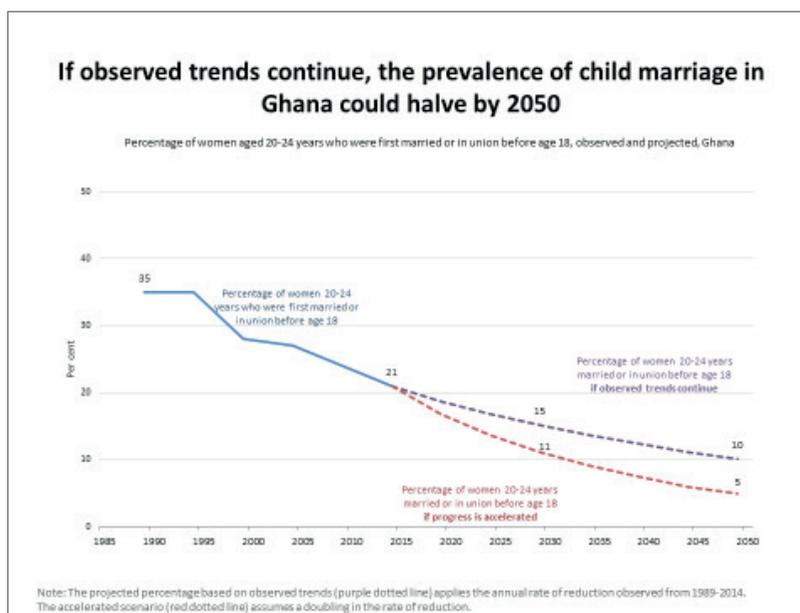
MICS 2011. 20-49 married/in union by age 18	
Upper East	39.2 %
Western	36.7 %
Upper West	36.3 %
Central	31.2 %
Ashanti	30.5 %
Volta	29.3 %
Brong Ahafo	29.1 %
Northern	27.4 %
Eastern	27.2 %
Greater Accra	12.2 %
National Average	27 %

Table 3: DHS 2014

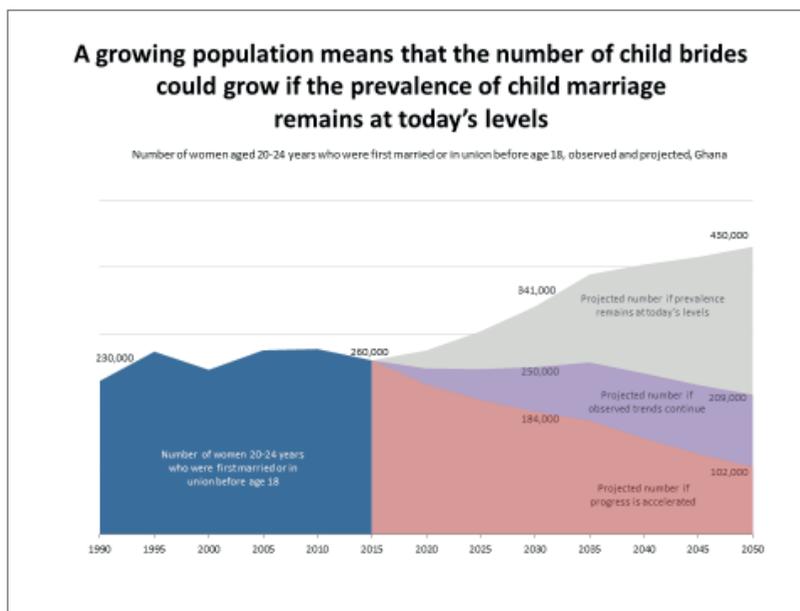
DHS 2014. 20-49 married/in union by age 18	
Northern	39.6 %
Upper West	37.3 %
Upper East	36.1 %
Western	32.9 %
Central	29.5 %
Eastern	27.5 %
Ashanti	25.9 %
Volta	25.9 %
Brong Ahafo	23.9 %
Greater Accra	18.5 %
National Average	27.2 %

¹⁴ DHS 2014

Child marriage is becoming less common in Ghana. 1 in 5 young women today were married before 18, compared to 1 in 3 in the early 1990s. If observed trends continue, the prevalence of child marriage in Ghana could halve by 2050. With an acceleration of progress, these values could be even lower (see graph below).¹⁵



However, it must be noted that number of girls married in childhood is affected by both the prevalence of child marriage and by the number of girls in the country. As Ghana has a growing population, the prevalence will need to continue to decline in order to keep the number of child brides from growing. If the prevalence remains at the levels seen today (21%), there will be more child brides married each year as the population grows (see below).



¹⁵ United Nations, Department of Economic and Social Affairs, Population Division, World Population Prospects: The 2015 revision, CD-ROM edition, United Nations, New York, 2015. Projections of child marriage prevalence are calculated on the basis of annual rates of change observed over time, in order to estimate what the prevalence would be in the future if these rates of change persist. The acceleration scenario applies double the rate of reduction observed in the past. These projected percentages are then combined with demographic projections to produce estimates of burden (numbers of women affected) in the future.

This is exactly why an acceleration of progress involving concerted efforts by all stakeholders is critical for Ghana.

✔ Factors Driving Child Marriage in Ghana

The driving factors behind Child Marriage in Ghana are complex and interrelated. The following lists some of the **dominant** (but by no means the only) factors that stakeholders identified during the consultation process. They include:

- ▣ Deeply Rooted Gender Inequalities;
- ▣ Teenage Pregnancy;
- ▣ Economic Insecurity;
- ▣ Traditional, Customary Practices and Social norms;
- ▣ Teen choices and search for a "better life"/ peer pressure;
- ▣ Poor Parenting; and
- ▣ Ignorance, Impunity and Poor Enforcement of the Law.

The common theme in all these factors is the predominance of patriarchy and the subordinate role of women and girls in the family and society. Each of these factors is briefly described below:

Deeply Rooted Gender Inequalities: As stated, patriarchy and gender inequality are underlying factors driving child marriage in Ghana. This is reflected in the fact that when families face financial insecurity, the girl is more likely than the boy to be pulled out of school and potentially married off to ease the burden on the family. This demonstrates how a girl's rights are not as valued as a boy's. Not surprisingly, therefore, the prevalence rate for girls is much higher than that of boys.

Teenage Pregnancy: In Ghana, teenage pregnancy is both a cause and consequence of child marriage. The 2014 DHS reported that 14% of girls aged 15-19 years had begun having children. Girls living in rural areas and with no education were more likely to get pregnant early. To avoid the shame and stigmatization, the girl is usually given in marriage to the boy/man who impregnated her. Once the girl is married, it is most likely that she will become pregnant again. Even when the girl has not become pregnant, the fear of this happening has led some parents to force their girls into marriage to "protect" their pre-marital virginity and avoid unwanted pregnancy. Given the link between teenage pregnancy and child marriage, the factors driving early childbirth also become relevant. These include limited sexual and reproductive health education, low access to contraceptives and low girls' empowerment.

Economic Insecurity: Poverty at family and community level is a key driver of child marriage. This is evidenced by the 2014 DHS data that indicates a negative correlation between economic status and early marriage. In other words, the percentage of girls getting married decreases sharply by wealth status. However, the relationship between economic insecurity and child marriage is complex. An example is where families or caregivers see female children as a “financial burden” and thus marry them off almost as an economic survival strategy. In other instances, if the family does not have sufficient money to pay for the education of the children, girls are forced to leave school. This in turn makes them vulnerable to teenage pregnancy or migration for work as in the case of “**kayayei**.”¹⁶ Where a girl has dropped out of school, the options for further educational improvement or a livelihood are limited. Under these circumstances, marriage or union with a man becomes a viable option and potentially a way out of poverty. Girls have also said that often they have sex with boys/men for economic reasons and they wouldn't be doing so if they had their own money. Where economic insecurity is present, orphaned girls are particularly vulnerable.

Tradition, Customary Practices and Social Norms: While traditional and customary practices are changing rapidly in Ghana, some practices persist and are a driving factor in child marriage. These of course will vary greatly by region. Some of the problematic customs include giving girls in marriage as gifts to wealthy and titled men, or as means of “compensation” and “settlement” of family/communal issues including debt, inherited liabilities and religious obligations.

Teen - Choices and Search for a “Better Life”/ Peer Pressure: Another driver of child marriage in Ghana is the rural-urban migration of girls to cities in search of a better life. This is about girls expressing a choice without the necessary information about the full consequences of their actions. Girls who migrate to cities find that they are vulnerable to boys and men who take advantage of their economic situation. This leads to teenage pregnancy and unions between the girls and men/boys. The girls also face pressure from their peers to look for men to provide them with financial support as a strategy to manage their financial insecurity. Peer pressure also plays a role in driving the girls to migrate when they face financial and social difficulties at home.

Poor Parenting: Rapidly changing family patterns in Ghana today make parenting a complex issue. Parents regularly report their inability to “control” their children. As children become more exposed through the media and other means, their communication with their parents becomes increasingly strained. This lack of inter-generational dialogue may begin when the children are quite young and may become more deeply entrenched with the onset of adolescence. The problem becomes more acute when the girl becomes pregnant, when a boy gets a girl pregnant or when the girl runs away from home.

¹⁶ Refers to young female porters who carry goods around markets.

Ignorance, Impunity and Poor Enforcement of the Law: Ignorance of the law often contributes to the prevalence of child marriage, with many not recognizing that they are behaving contrary to the law. For those who are aware, the problem is a culture of impunity, bolstered by high levels of corruption. Statistics from the Domestic Violence and Victim Support Unit (DOVVSU) show an extremely low arrest rate, and an even lower prosecution rate for perpetrators of crimes such as forced marriage and defilement. Also there is a relative high tolerance for gender based violence. Such cases are considered 'family matters' and are usually not reported. The failure to properly implement laws designed to protect children from being forced into marriage undermines Ghana's legal system. There is little incentive for perpetrators to stop, leaving victims with little or no protection and justice.

✓ Impact of Child Marriage

Child marriage has a devastating impact on a child's ability to enjoy many of their fundamental human rights. For example, it violates their rights to health, education, equality and non-discrimination, consensual marriage, employment, and to live free from violence and discrimination. Child marriage also prevents the child from realizing their full potential and hampers their positive contribution to society. Some of the consequences of child marriage include:

- ▣ **Maternal Mortality and Other Health Risks.** Child brides are less likely to receive adequate medical care while pregnant. This, together with the fact that these girls are not physically developed enough to give birth, places both mothers and their babies at risk. For example child pregnancy is a leading cause of maternal mortality for girls and debilitating medical conditions like obstetric fistula. Infants born to adolescent mothers are more likely to be malnourished or to die in their first year. Once married, child brides tend to lack the knowledge of or access to family planning. Even where they do, they are unable to assert their wishes about spacing their children or to practice/insist on safe sex. This leaves them vulnerable to sexually transmitted infections, including HIV.
- ▣ **Loss of Education:** Girls who get married are forced to drop out of school as they are expected to focus on being wives and mothers. Others are forced into marriage when they drop out of school. Girls who get pregnant are also asked to leave the school. Without education, these girls have limited livelihood options further increasing their vulnerability in the marriages. It has been established that education itself acts as a safeguard against child marriage. Secondary level education for girls, for example, is a crucial factor in increasing the age of marriage. Education is also linked to more awareness and empowerment that makes it possible for girls to resist child marriage.
- ▣ **Sexual and Domestic Violence:** Child marriage increases a girl's exposure to violence and abuse. Girls who marry as children are more likely to be beaten or threatened by their husbands than girls who marry later. Child brides are also more likely to describe their first sexual experience as forced. The larger the age gap between the girl and her husband, the higher the risk of physical or emotional abuse. When compounded by lack of information about their rights, limited access to legal or other assistance, girls can find themselves trapped in abusive marriages with no recourse or access to support.
- ▣ **Poverty.** Poverty is both a consequence and cause of child marriage as it continues the inter-generational cycle of poverty through youth mothering and limited resources in young families. The inability of families to earn substantive income for their economic wellbeing leads to practice of child

marriage. The Ghana Poverty Mapping report shows a significant positive correlation between high poverty areas and child marriage. For example the three regions with the highest rate of child marriage in Ghana – the Northern, Upper West, and Upper East Regions also are the poorest regions in the country.¹⁷ Furthermore, it is perpetuated as it contributes to the economic/social loss of productive young women. Girls involved in child marriages tend to have no career or vocational skills resulting in lower incomes and poverty.

- ▣ **The Diminishing of Ghana's Socio-economic Prosperity and Development.** Child marriage has negative implications for Ghana's economic prosperity and development. It reduces the human capital available for the country's development as millions of children fail to gain the necessary skills and knowledge that the country so desperately needs. This means that they are unable to fully contribute to the country's economic development and prosperity.

¹⁷ Ghana Poverty Map 2015

2. The International and National Legal and Policy Context

International conventions and treaties combined with national laws and policies provide a powerful normative statement on child marriage as a violation of a child's rights. In this respect, they provide significant legitimacy from which to protect girls at risk, conduct advocacy, develop programmes, dedicate resources, and support girls affected by child marriage. The following sets out some of the relevant legal and policy provisions at the international and national levels.

✔ International Laws on Child Marriage

At the International level, the Universal Declaration of Human Rights (UDHR), The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) and the Convention on the Rights of the Child (CRC) all directly or indirectly address the issue of Child Marriage. For example, the UDHR provides for the right to 'free and full' consent to a marriage but notes that 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. Similarly, Article 16 of CEDAW states that: "The betrothal and 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...." Further Article 1, 2, and 24 of the CRC defines a child ("every human being below the age of eighteen years...") and stipulates that in all actions concerning children, their best interest should be the primary consideration. It also provides for State parties to take all effective and appropriate measures to abolish traditional practices that harm the health of children.

Thus the Committee on the Rights of the Child "strongly recommends that State parties review and, where necessary, reform their legislation and practice to increase the minimum age for marriage with and without parental consent to 18 years, for both girls and boys." In the specific instance of Ghana, based on observations in both 1997 and 2006, the CRC committee raised concerns over the persistence of the harmful practice of child marriage within the State, calling on the "State party to introduce sensitization programmes for practitioners and the general public to encourage change in traditional attitudes and prohibit harmful practices (such as child marriage), and engage with the extended family as well as with traditional and religious leaders."

Significant effort has also been made to address child marriage in regional treaties and charters in Africa. These include:

- ▣ Article 21 of The African Charter on the Rights and Welfare of the Child 1990 which specifically prohibits child marriage;
- ▣ The Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa 2003 (Article 6); and
- ▣ The Commonwealth Kigali Declaration to prevent and eliminate child, early and forced marriage, adopted in May 2015.

✓ National Laws

Child marriage is illegal in Ghana. Both the 1992 Constitution and the 1998 Children's Act set the legal age for marriage at 18 for both girls and boys. Section 14 (1) (a) (b) and (c) of the Children's Act provides that:

"No person shall force a child to be betrothed; to be the subject of a dowry transaction; or to be married... any person who contravenes this provision commits an offence and is liable on summary conviction to a fine not exceeding 5 million cedis or to a term of imprisonment not exceeding one year or to both."

The age of consent for sex in Ghana is 16 years. Section 101 of the Criminal Offences Act 1960 (Act 29) defines sex with a child under 16 years as an offence which shall be liable to imprisonment for a term of not less than seven years and not more than twenty-five years.

The domestic legal framework on child marriage has been promoted and informed by Ghana's ratification of relevant international instruments. These include the CRC and the African Charter on the Rights and Welfare of the Child and others.

A number of existing policies also address issues relevant to ending Child Marriage. For example, there is the Child and Family Welfare Policy and the Justice for Children Policy. The aim of these policies is to implement a Child Protection System that is fit for Ghana, to more effectively prevent and protect children from all forms of abuse and to strengthen family and community engagement in child protection. Similarly, the National Gender Policy, which was approved by Cabinet in 2015, also prohibits Child Marriage. In addition, the Adolescent Reproductive Health Policy (2000) encourages the development and implementation of activities and services to enhance and expand options available to adolescents in the area of reproductive health. Finally, the National Youth Policy (2010) provides a framework for the Government to engage the youth and other stakeholders in meaningful partnership to develop appropriate interventions and services for youth empowerment and development.

The major issue in Ghana, therefore, is not an absence of relevant laws and policies but in the weak **enforcement** of such laws and **implementation** of relevant policies. Some of the challenges in enforcement and implementation include:

- ▣ Reluctance by affected children and families to report child marriage cases due to social pressure and culture.
- ▣ Lack of evidence to prosecute cases when families withdraw cases.
- ▣ Limited access to services in the justice sector e.g. Police, Family and Juvenile Courts, legal aid, because of factors such as distances and lack of knowledge or financing.
- ▣ Inadequate training of law enforcement officials in child protection and handling cases of child marriage in particular,
- ▣ Limited resources for implementing agencies such as Police, Family and Juvenile Courts, and others.
- ▣ Absence of birth certificates as evidence in court to confirm the age of the child as a minor.
- ▣ Corruption where perpetrators bribe police and judicial staff to either lose files or postpone or adjourn cases indefinitely

3. National Response

The increasing recognition of child marriage as a serious national issue in Ghana has led to a growing number of initiatives to address the problem. As noted previously, the Ministry of Gender, Children and Social Protection (MoGCSP) established the Child Marriage Unit in 2014 to promote and coordinate national initiatives aimed at ending child marriage in Ghana. Some of the key activities of this unit have included:

- ▣ Establishment of an Advisory Committee on Ending Child Marriage composed of influential individuals within their respective communities and technically competent officials to provide guidance on interventions being proposed by the Ministry to end child marriage in Ghana.
- ▣ Formation of a network of stakeholders for experience sharing on best practices, lessons learnt and guidance on what works and what strategies do not work.
- ▣ Launch of Ending Child Marriage Campaign in Ghana by the President H.E. John Dramani Mahama and First Lady, Lordina Mahama, in February 2016, officially kicking off the country's efforts towards eliminating child marriage.
- ▣ Public sensitisation through the use of popular Ghanaian personalities as Goodwill Ambassadors and the use of mass media communication such as music videos and documentaries.
- ▣ Engagement with the Youth to get their ideas on how to end Child Marriage.
- ▣ Engagement with the African Union and other actors at the continental level to share and learn from other African countries their efforts to end Child marriage.
- ▣ Coordination of the consultation process to develop this 10-year Strategic Framework.

Other Government actors have also been engaged in the efforts to end Child Marriage. In 2014, The National Commission on Civic Education (NCCE) commissioned research on the nature and extent of child marriage in Ghana in order to inform its engagement with communities on the issues. The National Youth Authority (NYA) has been working with youth on sexual and reproductive health issues, which enables girls and boys to make more informed choices about their sexuality. They have also been providing vocational skills training which provides an important opportunity for girls to be economically empowered, which in turn reduces their vulnerability to child marriage.

Given the strong link between child marriage and teenage pregnancy where in 2014 alone, there were 750,000 pregnant teenage girls between the ages of 15 and 19,¹⁸ the initiatives of the Ministry of Health (MoH) and Ghana Health Service (GHS) are relevant. They include:

- ▣ Provision of comprehensive sex education in schools through Sexual and Reproductive Health (SRH) Clubs and integration into the education curriculum. There has been reluctance by some teachers to provide instruction on this subject despite its inclusion in the curriculum.
- ▣ Community sensitization on SRH for both boys and girls.
- ▣ Engagement with traditional authorities to consider the needs of adolescents.
- ▣ Outreach activities at 'hotspots' (eg galamsey communities and large market centres) for teen pregnancy.
- ▣ Engagement with parents on sexual reproductive health of adolescents.
- ▣ Revision of the service policy for reproductive health services to include sexually active teens.

¹⁸ Ghana Health Service, 2014

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- ▣ Training of service providers to be more receptive and adolescent friendly.
 - ▣ Scaling up of Abortion Care Service as prescribed by law.
 - ▣ Review of the national adolescent health strategy.

Similarly, in light of the link between a girl's education and her vulnerability to child marriage, the programmes of the Ghana Education Service (GES) on girls' education are equally relevant. These include:

- ▣ Sensitizing girls on the importance of education through activities such as the 'After School Girls Club' where topics such as personal hygiene, adolescent reproductive health issues are discussed.
- ▣ Sensitizing parents on the importance of education and the need to provide basic needs of the girls.
- ▣ Ensuring a child-friendly and gender-friendly environment in schools by providing facilities such as safe and functional toilets especially for use by girls.
- ▣ Collaborating with development partners and NGOs to provide scholarship to girls.
- ▣ Developing sector guidelines to prevent and manage teenage pregnancy in the education sector and re-entry in school of teen-mothers.

The government of Ghana has a social protection policy and strategy aimed at creating an all-inclusive society. It has done this through the provision of sustainable mechanisms for the protection of persons living in extreme poverty, vulnerability and exclusion. It is also implementing programmes to address poverty which is a key factor driving child marriage. For example, the Livelihood Empowerment Against Poverty (LEAP) programme is a social cash transfer programme that provides cash and health insurance to extremely poor households across the country. Its main aim is to alleviate short-term poverty and encourage long-term human capital development.

Ghanaian civil society has also been increasingly active in the efforts to end child marriage. Their programmes have included, among others:

- ▣ The provision of scholarships to girls;
- ▣ Sensitisation and mobilisation of families and communities to end child marriage;
- ▣ Girls' empowerment programmes;
- ▣ Livelihood support to girls and child brides;
- ▣ Counselling support to parents and victims; and
- ▣ Monitoring cases of child marriage and referring to relevant authorities and service providers.

In addition to Government and civil society, Development Partners (DPs) such as UNICEF, UNFPA, the Royal Netherlands Embassy, Canadian Government and DFID have contributed to efforts to end child marriage through the funding of various initiatives.

While many of these initiatives in Ghana reflect a genuine commitment to address child marriage, many of them have remained at a "project" level. They are largely short term and ad hoc in nature and are usually undertaken in isolation from one another. This has limited the capacity for long-term sustainable impact. The National Strategic Framework to End Child Marriage is therefore aimed at ensuring that these on-going efforts are designed and implemented in a more coordinated and strategic manner so that long-term, sustainable impact is achieved.



B. STRATEGIC DIRECTION

1. Overall Goal and Objectives

The **Overall Goal** is a society without child marriage by 2030.

The **Strategic Objectives** are to:

- ▣ Empower girls and boys to be better able to prevent and respond to child marriage.
- ▣ Influence positive change in communities' beliefs and attitudes and social norms that drive child marriage.
- ▣ Accelerate access to quality education, sexual and reproductive health information and services and other opportunities.
- ▣ Ensure national laws, policy frameworks and mechanisms related to ending child marriage are in place and effectively enforced and implemented.
- ▣ Increase the quality and amount of data and evidence available to inform policy and programming.

2. Guiding Principles

This Strategic Framework is guided by the principles and values set forth in the Child and Family Welfare Policy, Justice for Children Policy and the National Gender Policy. These in turn are informed by the Convention on the Rights of the Child, the 1992 Constitution and the Children's Act, 1998 (Act 560). Its principles are as follows:

- ▣ Non-discrimination;
- ▣ Best interests of the child;
- ▣ Right to survival and development;
- ▣ Right to be heard (participation);
- ▣ Family and community cohesion and harmony; and
- ▣ Strong partnerships, collaboration and linkages with formal and informal sectors.

3. Scope of the Strategic Framework

This Strategic Framework shall guide all programmes and interventions at the national, regional, district and community levels whether implemented by Government, civil society or development partners.

4. Strategies for Implementation

The following sets out the priority strategies for implementation of the Strategic Objectives. The objectives are interrelated and mutually reinforcing. Hence the strategies related to the objective may overlap and reinforce each other.

Objective 1: To empower girls and boys to be better able to prevent and respond to child marriage.

Key strategies:

- ▣ Build girls' and boys' capacities in life skills including self-esteem and confidence.
- ▣ Support the establishment and sustenance of adolescents' groups, which offer safe spaces for girls and boys to talk about sensitive issues. Review and strengthen existing formal/informal education programmes to ensure that married girls are properly targeted. .

Objective 2: To influence positive change in communities' beliefs and attitudes and social norms that drive child marriage.

Key strategies:

- ▣ Decrease the support for child marriage among families, communities and children through the provision of knowledge and creating an understanding of the consequences at all these levels.
- ▣ Collaborate with traditional and religious leaders in efforts to end child marriage.
- ▣ Disseminate IEC (Information, Education and Communication) materials widely using traditional and social media platforms.
- ▣ Mobilize families and communities as agents of change so that they themselves take part in efforts to end child marriage.
- ▣ Engage and ensure meaningful participation of youth leaders and young decision-makers, particularly adolescent girls, in ending child marriage.
- ▣ Support initiatives challenging gender stereotypes and more equitable gender norms.
- ▣ Empower men and boys to be champions in promoting more equitable gender norms.

Objective 3: To accelerate access of adolescents, particularly girls, to quality education, reproductive health services and other opportunities.

Key strategies:

- ▣ Increase access and retention of adolescents, particularly girls, to primary, secondary and complementary basic education.
- ▣ Increase access of girls, boys and married adolescents, to friendly adolescent health information and services including family planning.
- ▣ Increase access of out of school girls and married or teenage mothers to vocational learning and training opportunities to improve their livelihoods through the strengthening/expansion of the national vocational skills development programme.
- ▣ Ensure that girls at risk, child mothers, married girls and survivors of child marriage have access to age-appropriate health, welfare, justice and protection services, including means of legal support and safe temporary shelter.
- ▣ Strengthen collaboration between education, health, welfare and justice sector providers to ensure effective provision of the necessary services.

Objective 4: To facilitate the implementation and enforcement of existing national laws, policies and strategic frameworks related to ending child marriage.

Key strategies:

- ▣ Strengthen the Civil Registration and Vital Statistics (CRVS) system for the registration of children at birth, marriages and divorces.
- ▣ Provide police, prosecutors, department of social development, community development, justice system, and other relevant service providers with the necessary capacity to investigate and prosecute cases of child marriage.
- ▣ Build awareness of existing legal provisions related to ending child marriage as well as mechanisms for reporting and obtaining assistance.
- ▣ Institutionalize and ensure resources for a coordinating body for Ending Child Marriage within the Ministry of Gender, Children and Social Protection.
- ▣ Ensure effective collaboration and coordination between the different actors in the implementation of this Strategic Framework.
- ▣ Ensure increased allocation of resources (human and financial) to support interventions under this framework and operational plan.

Objective 5: To increase data and evidence available to inform policy and programming

Key Strategies:

- ▣ Regular monitoring and tracking of progress against milestones and targets set under this Framework and operational plan.
- ▣ Document and disseminate evidence and good practice to inform programming and advocacy efforts.
- ▣ Conduct periodic research to better understand drivers and changing patterns of child marriage and effective strategies to address them.

5. Coordination and Collaboration

One of the key objectives for development of the National Strategic Framework is to ensure effective coordination of the various initiatives to end child marriage. There is a strong recognition from the various stakeholders that not only is coordination required but that there is also a need for increased collaboration and learning and sharing between the different actors. In addition to national and local government, some of the critical actors include parliament, media, civil society, development partners and the private sector.

MoGCSP shall provide the leadership required to ensure coordination happens between different levels and actors. For example, coordination should occur within the different departments of the Ministry. In addition, it should occur between different Ministries such as Education and Health and at different levels of government within the Regions and the Districts. Furthermore, coordination should occur between Government and non-state actors such as civil society and the media.

A number of networks and platforms are already in place to provide for collaboration on child protection more generally and Ending Child Marriage more specifically. The idea is not to duplicate these structures but to build on them to ensure better coordination and collaboration.

The key platforms for coordination of Child Protection are:

- ▣ National Child Protection Committee
- ▣ Regional Child Protection Committees
- ▣ District Child Protection Committees
- ▣ Community-based Child Protection Committees

More specifically on Ending Child Marriage, the current platform to provide for coordination and collaboration is the National Stakeholders Forum which is currently coordinated by the Child Marriage Unit of the Ministry of Gender, Children and Social Protection and brings together relevant stakeholders working to end child marriage across Ghana. In addition to this, there is an Advisory Committee, which provides technical expertise to the Child Marriage Unit as required. In implementation of this Strategic Framework, the Stakeholders Forum will continue to be the main platform for collaboration between key actors at national level.

At national level, the achievements and learnings discussed in the stakeholders' forum and national progress in the implementation of this strategic framework will be reflected in the discussions with the National Child Protection Committee. At regional and district levels, issues of child marriage should be addressed within the Regional Child Protection Committees and the District Child Protection Committees respectively. Any progress and key developments should be reported at the national level at the National Stakeholders Forum to end child marriage.

To facilitate effective nationwide coordination, the Ending Child Marriage Unit shall convene the Stakeholder Forum twice a year as follows:

Annual Planning and Reflection Meeting.

- ▣ Each year, key stakeholders shall convene in the last quarter of the calendar year to:
 - Assess progress made against targets set for that year. This establishes a culture of mutual accountability amongst the stakeholders;
 - Learn lessons and share experiences to inform future programming;
 - Jointly develop an annual work plan with priority interventions, annual targets and estimated annual costings for the upcoming year. These shall be informed by the priority strategies and interventions identified in this Strategic Framework and Operational Plan.

Mid-year Review Learning and Sharing Meeting:

- ▣ Midway through the year, key stakeholders shall convene to:
 - Review progress made against annual targets; and
 - Share lessons to strengthen existing programming.
- ▣ The **Child Marriage Unit** shall play a critical role in coordination. More specifically, they shall be responsible for:
 - Leading and coordinating various initiatives under the national campaign to End Child Marriage.
 - Mobilizing key stakeholders and actors to participate in the implementation of the National Strategic Framework to End Child Marriage.
 - Facilitating the development of the annual work plan based on the outcome of the Annual Planning and Reflection meeting.
 - Preparing performance reports of implementation of the National Strategic Framework and Operational Plan in line with the reporting requirements of MoGCSP and the respective implementing partners.
 - Coordinating the monitoring and evaluation of the National Strategic Framework against set targets.
 - Maintaining a collaborative network with regional and international organizations working towards ending child marriage.
 - The Unit will have the responsibility of reporting lessons learned and experiences shared with the National Child Protection Committee.

6. Monitoring and Evaluation Framework

The Monitoring and Evaluation (M&E) Framework to End Child Marriage has been designed to track progress against specific indicators and enable stakeholders to learn from what is working or not working. A conscious intention was made to keep the framework simple and practical by using data from existing surveys that are routinely conducted where possible.

A few key indicators have been selected for each objective and are set forth in the operational plan. Baseline data for some of these indicators will be collected at the end of 2016 and early 2017. Using this baseline, MoGCSP together with key stakeholders will then establish appropriate milestones and targets for each of the indicators. Continuous monitoring of the indicators will occur under the leadership of MoGCSP. In addition, a review of the Strategic Framework will occur every three years to examine progress made and assess whether the strategies are still relevant.

In practice, the M&E strategy shall involve:

- Quarterly updates (from all institution or organisations identified and playing specific roles).
- Annual Planning and Reflection Meeting of the Stakeholder's Forum to End Child Marriage.
- Mid-year review Learning and Sharing Meeting of the Stakeholder's Forum to End Child Marriage.

7. Operational Plan 2017-2018: 08. Costing Framework

The following table provides the estimated cost of implementing the Strategic Framework in 2017 and 2018. It provides a breakdown for each of the five objectives of the Framework.

Objectives	% of the Total	Total Cost in \$
1. To empower girls and boys to be better able to prevent and respond to child marriage.	12%	\$240,000
2. To influence positive change in communities' beliefs and attitudes and social norms that drive child marriage.	25%	\$500,000
3. To accelerate access of adolescents, particularly girls, to quality education, reproductive health services and other opportunities.	28%	\$560,000
4. To ensure national laws, policy and strategic frameworks related to ending child marriage are in place and are effectively enforced and implemented	25%	\$500,000
5. To increase the data and evidence available to inform policy and programming	10%	\$200,000
Total Cost	100%	\$2,000,000

Annex 1



Summary of Consultation Workshops

ACTIVITY	DETAILED ACTIVITY	LOCATION	DATE
Formation of a Core Working Group	<ul style="list-style-type: none"> ▣ The Core Group was formed to provide technical oversight and guidance to the consultant during the drafting of the National Strategic Framework. ▣ Membership comprised experts in the area of health, child rights, community development, gender and girls' education 	Greater Accra	17 th November, 2015
Southern Sector Stakeholder Engagement (Central, Eastern, Greater Accra, Volta, Western Regions)	<ul style="list-style-type: none"> ▣ Meeting held to seek technical input of stakeholders towards the first draft of the strategic framework. ▣ Participants were drawn from key civil society organisations, governmental and non-governmental institutions, traditional and religious authority from the southern sector. 	Greater Accra	3 rd December, 2015
Focus Group Discussion (Northern Region)	<ul style="list-style-type: none"> ▣ Discussions were held to seek the understanding of identified groups on their knowledge and perspective of child marriage and how it pertains to their community. ▣ Groups engaged: <ul style="list-style-type: none"> • Traditional and Religious leaders, • Parents • Young mothers • Girls at risk 	Northern Region	21 st January, 2016
Northern Sector Stakeholder Engagement (Brong Ahafo, Northern, Upper East, Upper West Regions)	<ul style="list-style-type: none"> ▣ Discussions held to seek technical input of stakeholders towards the first draft of the strategic framework. ▣ Participants were drawn from key civil society organisations, governmental and non-governmental institutions, traditional and religious authority from the Northern belt of the country. 	Northern Region	22 nd January, 2016
2 nd Core Working Group Meeting	<ul style="list-style-type: none"> ▣ Meeting held with Core Group members to review and make input into the first draft of the Strategic Framework. ▣ Membership comprised experts in the area of health, child rights, community development, gender, international development and girls' education. 	Greater Accra	4 th March, 2016

Focus Group Discussion (Southern Sector)	<ul style="list-style-type: none"> ▣ Aim of the discussions was to seek an understanding of the dynamics of causes, prevalence, effects and factors leading to child marriage from the youthful perspective. ▣ Youth groups engaged were: <ul style="list-style-type: none"> • Young mothers, • In-school boys and girls, and • Out of school boys and girls ▣ These groups were from the Central, Eastern, Greater Accra, Volta, and Western Regions of Ghana. 	Greater Accra	18 th March, 2016
Meeting with Development Partners (DP's)	<ul style="list-style-type: none"> ▣ Representatives from international organisations working with government and non-governmental institutions to implement developmental projects were engaged to make technical input into the draft Framework. 	Greater Accra	11 th April, 2016
Work Plan and M&E Workshop (Northern, Southern Sector Stakeholders and DP's)	<ul style="list-style-type: none"> ▣ Workshop held to develop a work plan and M&E strategy for the Strategic Framework. ▣ Participants were key CSOs, DP's, heads of departments and public institutions etc from Ashanti, Central, Eastern, Greater Accra, Northern, Upper East, Upper West, Volta, and Western Regions. 	Greater Accra	26 th April, 2016
Validation Meeting (Northern, Southern Sector Stakeholders and DP's)	<ul style="list-style-type: none"> ▣ Meeting held to validate the 3rd draft of the Strategic Framework. It comprised members of the Core Group, DP's and members who took part in the Northern and Southern sector consultations. 	Greater Accra	24 th May, 2016

Taaka Awori, an Organizational and Social Development Specialist and MD for Busara Africa was the lead consultant in the drafting process.



MINISTRY OF GENDER,
CHILDREN AND SOCIAL
PROTECTION



The UNFPA-UNICEF Global Programme
to Accelerate Action to End Child Marriage in Ghana



Canada



Government of the Netherlands

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