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Child Marriage in Afghanistan

Changing the narrative

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Knowledge attitude and practice study

July 2018

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Sweden
Sverige

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Acronyms

MoLSAMD	Ministry of Labour, Social Affairs, Martyrs and the Disabled
MoWA	Ministry of Women's Affairs
KII	Key informant interview
FGD	Focus group discussion
CPAN	Child Protection Action Network
MoPH	Ministry of Public Health
AIHRC	Afghan Independent Human Rights Commission
KAP	Knowledge, attitudes and practices

Glossary

Term	Definition	Source
Baad	Marrying a woman to someone as blood money or for the purpose of bringing peace and reconciliation among the families regarding murder, sexual assault or other circumstances following wrong customs and traditions.	Islamic Republic of Afghanistan: Ministry of Justice.[1]
Badal	A tradition of exchanging the girls between two families for marriage. Parents exchange their daughters for marriage.	Women and Children Legal Research Foundation[2]
Child	"A child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier."	Convention on the Rights of the Child[3]
Child Marriage	A formal marriage or an informed union before the age of 18. According to Article 70 of the Afghan civil law, child marriage for girls is considered to be before the age of 16 since the legal marriageable age is 16 for girls and 18 for boys. Marriage under the age of consent for children is a form of forced marriage.[4]	UNICEF & Civil Law of the Republic of Afghanistan
Elimination of Violence Against Women (EVAW) Law[5]	The EVAW law is the culmination of efforts by government and civil society actors to eradicate all forms of abuse, aggression, and violence against women and girls in Afghanistan. It is in line with the government's Constitution and with Sharia principles that seek to ensure the dignity and equality of all human beings. Under Afghanistan laws, all violence is criminal, whether it is against a man, a woman, a child or an adult, or whether it occurs at home or in public.	Ministry of Women's Affairs, Islamic Republic of Afghanistan
Fistula[6]	An obstetric fistula is a hole between the vagina and rectum/bladder that is caused by prolonged obstructed labour, leaving a woman incontinent of urine, faeces or both	Fistula Foundation
Forced Marriage	Forced marriage describes a marriage that takes place without the free or valid consent of one or both of the partners and involves either physical or emotional duress.[7]	Thomas, C.
Hadith	A collection of traditions containing sayings of the prophet Muhammad that, with accounts of his daily practice (the Sunna), constitutes the major source of guidance for Muslims apart from the Quran.	Oxford Dictionary[8]
Honour Killing	The killing of a relative, especially a girl or woman, who is perceived to have brought dishonour on the family.	Oxford Dictionary
ISIS [The Islamic State]	A militant Islamic fundamentalist group active particularly in Syria and Iraq.	Oxford Dictionary[9]
Jirga	A tribal council responsible for settling disputes in Afghanistan and Pakistan.	Collins Dictionary[10]
Knowledge Attitude Practice (KAP) Survey[11]	A 'Knowledge, Attitude and Practices (KAP) Survey' is a quantitative method (predefined questions formatted in standardized questionnaires) that provides access to quantitative and qualitative information. KAP surveys reveal misconceptions or misunderstandings that may represent obstacles to activities that organization would like to implement and may act as potential barriers to behavioural change. Note that a KAP survey essentially records an "opinion" and is based on the "declarative" (i.e., statements). In other words, the KAP survey reveals what was said, but there may be considerable gaps between what is said and what is done.	USAID
Mahr	In Islamic law, the gift, which the bridegroom must make to the bride when the marriage contract is made and which becomes her property.	Oxford Dictionary[12]

Pashtunwali[13]	An informal, oral system of tribal values governing individual and communal behaviour, pashtunwali is defined by its emphasis on community consensus and local decision-making. By privileging village, tribe, and even family over the state, the Codes depend on active local participation.	Ginsburg, T.
Personal Norm	A personal norm is internally motivated and is distinct from a Social Norm, which is externally motivated one way or another.	UNICEF
Quran	The Islamic sacred book, believed to be the word of God as dictated to Muhammad by the archangel Gabriel and written down in Arabic. The Quran consists of 114 units of varying lengths, known as suras - the first sura is said as part of the ritual prayer. These touch upon all aspects of human existence, including matters of doctrine, social organization, and legislation.	Oxford Dictionary[14]
Sharia Law	Islamic canonical law based on the teachings of the Quran and the traditions of the Prophet (hadith and sunna), prescribing both religious and secular duties and sometimes-retributive penalties for lawbreaking. It has generally been supplemented by legislation adapted to the conditions of the day, though the manner in which it should be applied in modern states is a subject of dispute between Muslim traditionalists and reformists.	Oxford Dictionary[15]
Social Norms	A social norm is what people in some groups believe to be normal in the group, that is, believed to be a typical action, an appropriate action, or both.	Paluck & Ball 2010[16]

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Foreword

I am pleased to present to you the Child Marriage Study Report which is an important contribution to our understanding of the complex and challenging issue of the practice of marriage before the legal age in Afghanistan. The Study's findings will help shape our policy and programming response to tackling this menace in a coordinated manner, consistent with our national conditions and international commitments.

While the existence of old traditions such as exchanged marriages, increased poverty, insecurity, illiteracy and low level of awareness of the risks associated, absence of effective system to register marriages, lack of law enforcement, etc. all contribute to the causes for child marriage, it is clear in our national legislation that marriage is a contract between men and women for the purpose of forming a legitimate family, and creates the rights and obligations of the parties (the Civil Code of the Islamic Republic of Afghanistan). Similarly, its Article 70 stipulates that marriage before the age of 16 for girls and before the age of 18 for boys is not considered as legally valid. For this reason, child marriage cannot be considered as "marriage" but rather an act of injustice and violence against children. In this context, marriage before the legal age or child marriage is illegal. It is a crime. We must and will stop it. But we need to understand and recognize its complexity given the mix of different socioeconomic and traditional factors that give rise to this practice. This Study in my view is a step in that direction.

What this Study does is it approaches the practice in a comprehensive manner challenging the dominant narratives about the role of social norms and religion in child marriage. Economics, for instance, for understandable reasons, stands out as a key driver of child marriage. The Study finds that the practice is driven not just by lack of awareness that lead to unacceptable social norms, but is also strongly linked to economic circumstances. This makes our fight for poverty reduction and enhanced social protection more urgent and critical. Reducing poverty and improving our social protection systems are priority components of our economic development agenda which the Government is advancing in strong partnership with the private sector. Furthermore, from an economic development standpoint, we see tackling the child marriage issue as an investment in the quality of our human capital as the practice has devastating impact on the physical, social, educational and mental development of our children.

This Study's general conclusion is valid: the practice of child marriage is widely opposed, but our understanding is "narrow", and our actions inadequate. Building on the findings of this Study, we need to embark on a national action plan to combat comprehensively the child marriage practice. In this regard, the Child Act, which guarantees some of the strongest protections for the nation's children, and will hopefully be passed by the Parliament soon, will serve as an important basis

for our collective struggle against all forms of violence and abuse against children, particularly their early marriage.

My Ministry, as a key poverty reduction and social protection agency of the Afghan Government, remains committed to working with our national and international partners to take substantial and practical steps to accelerate the implementation of all national legislation and relevant international treaties with the support of the Government leaders, the Parliament, and civil society groups. We will continue to strengthen our technical collaboration with partners on policy formulation and program development. The Child Secretariat under the Social Affairs division of the Ministry will serve as the primary custodian of further work on the child marriage issue. The Policy and Planning division will provide broader policy support.

At the end, I wish to thank all our partners involved in this research, in particular, the Samuel Hall and UNICEF Afghanistan for providing technical assistance for this research. The Ministry has provided strong and continued leadership to the work on this Study.

We are going to change this culture of child marriage so that no child in the country becomes the victim of this phenomenon. I reiterate our commitment to the protection and well-being of our children. It is our children on whom our future rests.

Sincerely,

Faizullah Zaki

Minister of Labour, Social Affairs, Martyrs and Disabled

Executive summary

> "It's a crime. It's like wiping a person away because you take everything away from them."
> (KII – Women's Rights Advocate, Kandahar)

Child marriage in Afghanistan persists at rates that suggest at least one in three young girls will be married before they turn 18. However, it is not a well-researched phenomenon in this context, and gaps in knowledge regarding prevalence, practice and drivers remain.

The primary objective of this report, prepared on behalf of the Government of the Islamic Republic of Afghanistan's Ministry for Labour, Social Affairs, Martyrs and the Disabled (MoLSAMD) in collaboration with UNICEF Afghanistan, is to provide contextualised analysis on the knowledge, attitudes and practices of communities in order to inform the development of future programming to either mitigate the impacts of child marriage or prevent further engagement in child marriage across Afghanistan.

To do so, mixed methods research was conducted over five provinces across Afghanistan – Bamyan, Kandahar, Paktia, Ghor and Badghis – in urban, semi-urban and rural sampling locations, and included household surveys, case studies, focus groups and interviews.

Understandings of childhood and the transition to adulthood strongly impact the practice of child marriage, with differing understandings of what makes a person an adult, and what makes a person prepared for marriage. Current national law treats boys and girls differently, with the age of marriage at 16 for girls, and for boys, 18. Defining child marriage according to the international conventions to which Afghanistan is a signatory (marriage of a person under the age of 18), the research found rates of child marriage among interviewed households just slightly higher than the most recent survey data collected, and in line with national-level surveys such as the AMICS and the DHS. 42% of households across the 5 surveyed provinces indicated that at least one member of their household had been married before the age of 18.[1]

Despite the recurring narrative of a lack of awareness around child marriage, respondents were often aware of the potential harmful impacts – maternal and infant health challenges, violence against women, difficult marriages, and reduced education and work opportunities, for example.

Many were, however, unaware of the legal and religious frameworks that govern child marriage. Understanding of the ages to marry, for example, skews towards ages under 18, prompting a range of responses from as young as 10 or 12 through to late twenties across all respondents, including many community leaders, professionals and experts.

The research highlights the particular vulnerability of girls to child marriage, supporting existing prevalence statistics with some indications that current data may, in fact, be under-reporting child marriage in young girls. Many young women, and their families, recounted stories of the challenges that result from child marriage, from restricted mobility and unhappy marriages through to violence and attempted suicides. Additionally, it came out that the negative impacts of child marriage do not stop with young girls, but extend to child grooms, and to the families and communities who participate in and perpetuate the practice. Young men and their families are compelled to meet the demands of high bride prices, and husbands who marry young are often ill-equipped to provide for their new family or understand their wives' needs.

The deeply economic and transactional view of marriage by many provides ongoing impetus to use child marriage as a coping mechanism. Girls in particular are used for domestic labour, and the extreme inequality between genders and strict adherence to gender roles contributes to the devaluing of young girls as individuals and a focus on their economic potential as part of the marriage transaction, and in domestic labour for their husband's household, rather than as economic agents or individuals.

This research challenged narratives that suggest decision-making on child marriage is unilateral. While decision-making is firmly centred within the family unit, and male household members are likely to have greater or final say, most reported women and other family members being involved in the process. It was common to report that children ought to have a say in their marriage, even if they were not allowed to make the final decision, representing a more collective decision-making process. This research also showed that agency is often restricted not only for child brides, but for other decision-makers. As such, solutions cannot be simply girl-focused, but must also consider household, communities, and the role of government in providing the necessary structures to support change.

This report presents a range of recommendations that draw upon the research findings outlined in later chapters. However, above all, what this report

seeks to highlight is that child marriage is a complex phenomenon with a variety of players, most of whom are constrained by a number of significant and challenging contextual drivers. As such, in order to address child marriage effectively, it is necessary to focus on the people involved and how they can be made agents of positive change in relation to child marriage, without unfairly or impractically placing the entirety of the onus for resisting child marriage entirely on young girls, or their families. This will necessarily require addressing critical underlying structural factors; however, doing so in a way that targets only one kind of driver, or focuses only on one element of the household or community that participates in the process, is unlikely to have a lasting impact.

In short, there is a need for complementary, wide-ranging solutions that address not only policy, law, economic challenges, social and cultural norms of gender inequality, harmful traditional practices, and insecurity, but which also work with girls and boys, parents and children, frontline workers and key influencers. This will require coordinated action and further work in continuing to improve understandings of child marriage in the Afghan context. A concerted and coordinated effort that recognises the complexity of the structures that perpetuate child marriage is the only way to effectively reduce the impacts of, and prevent future harms resulting from, child marriage.

Section 1: Researching child marriage in Afghanistan

A. Introduction

Available data on the topic of child marriage in Afghanistan suggests that between 30 and 40 percent of women there are married before the age of 18. [2] In line with international efforts to combat child marriage where it exists worldwide, the Government of the Islamic Republic of Afghanistan's Ministry for Labour, Social Affairs, Martyrs and the Disabled (MoLSAMD), as supported by UNICEF Afghanistan, commissioned Samuel Hall to conduct a study on the topic. This study considered prevalence, but went beyond this to engage more deeply with the drivers and enablers of child marriage in order to inform and strengthen future programming and policy actions by both the MoLSAMD and UNICEF.

AMICS (2010-11)	NRVA (2011-12)	DHS (2016)	SotWC
46.4% of surveyed women were married before 18.[1]	17.3% of girls surveyed were married between 15 and 19.	34.8% of women between 20-24 surveyed were married by age 18.	From 2008-2014, 33% of women 20–24 years old were married by age 18. [4]
15.2% of surveyed women were married before 15.	17% of surveyed women were married before 15.[2]	8.8% of women between 20-24 surveyed were married by age 15. [3]	

Figure 1. Key data on child marriage

The initial literature review and discussions with stakeholders suggested that opinion on the topic would be divided between rural and urban populations, between educated and less-educated groups, and between cultural backgrounds. It was hypothesised that key drivers would include overwhelming economic pressures felt by families, and powerful social norms that can dictate behaviour in this context.

Table
1 UNFPA Afghanistan (2014). National Action Plan to Eliminate Early and Child Marriage in Afghanistan.
2 CSO (2014). "National Risk and Vulnerability Assessment (2011- 2012)". CSO, & ICON-Institute/Delegation of the European Union to Afghanistan.
3 Central Statistics Organization (CSO) & Ministry of Public Health (MoPH) 2016. Afghanistan Demographic and Health Survey 2015.
4 UNICEF (2016), The State of the World's Children 2016: A Fair Chance for Every Child. http://www.unicef.org/publications/files/UNICEF_SOWC_2016.pdf

"Poor economic situations and cultural traditions are the forces behind child marriage. Some people marry their children off in fear of them turning to bad ways when they are older – some people marry their children off to settle loans." (Community Leader Interview, Bamyan)

This research sought to go beyond these hypotheses, by investigating not only practices, but also the understandings and attitudes that inform them, in order to develop a more nuanced view of child marriage, incorporating an understanding of the Afghan context, that focuses on why, as much as how, people were engaging in child marriage.

The ultimate goal of this report is to provide contextualised analysis that can inform the development of future programming to both mitigate the impacts of child marriage and prevent further engagement in the practice by families and communities across Afghanistan.

As such, this report addresses relevant key concepts, such as theories of justice, understandings of childhood, the impact of gender inequality and the power of social norms, which provide the foundation for a more comprehensive picture of child marriage practices in Afghanistan today, and how these concepts are linked to personal attitudes towards and understandings of child marriage. In doing so, this report refers to secondary literature to supplement analysis, but primarily refers to the findings generated in the fieldwork research conducted for this report.

This section outlines the research methodology and provides grounding in key concepts informing the research and analysis in this report.

Section 2 outlines research findings related to prevalence and practice, as based on the quantitative and qualitative field research conducted.

Section 3 addresses the level and quality of knowledge around child marriage and its legal and religious frameworks as demonstrated by respondents, along with underlying attitudes to child marriage.

Section 4 illustrates the decision-making processes around marriage in the Afghan context, and both contextualises and highlights their ramifications in terms of outcomes and potential programming.

The final section, Section 5, offers recommendations based on these research findings regarding future programming.

B. Research methodology

In order to collect the desired information – evidence on knowledge, attitudes and practices that are related to child marriage in each of the five focus provinces – Samuel Hall conducted a Knowledge, Attitude and Practices (KAP) Survey, complemented by qualitative tools including focus group discussions, case studies, and semi-quantitative, semi-qualitative interviews. A detailed methodology is available in the annex.

Research tools

This range of tools was intended to uncover the social norms that impact knowledge, attitudes and practices related to child marriage and to capture further data on the prevalence of child marriage across Afghanistan.

A note on sampling:

Note that sampling of smaller subsets (all levels except "All households") was intended to gain further insights on sub-groups of particular interest or generational relevance – for example, looking in more detail at the marital practices of younger Afghans as more representative of current trends – with the understanding that this provides purely indicative information on these sections. Please see Annex A. Detailed Methodology for further details of the sampling. As figures and tables within the report are drawn from these different subsets, for each table, the name reports a number noted "n" that provides the size of the population taken into account.

Knowledge Attitude and Practices (KAP) Survey	+ The KAP survey was designed to provide a comprehensive view of the knowledge of child marriage in communities, on how households are engaging in child marriage, and to identify gaps between knowledge, attitudes and practices that can be used to assess where programming can be targeted in order to change behaviours and improve outcomes + The survey was conducted with household members, especially heads of households and female members where possible, across five provinces of Afghanistan. It also interviewed girls under 18 where households had females under this age who were willing and permitted to participate in the survey, and the survey specifically profiled the marital status and marriage practices of household members under 23 years of age. Therefore, it has responses at four (4) levels: • All households • Household members under the age of 23 • Household members who had been married as children (before the age of 18) who were currently under the age of 28 • Households with girl children under 18 who were willing and able to participate in the survey.[1]

Figure 2. Quantitative Research Tools

Focus Group Discussions (FGDs)	+ FGDs allowed for discussion within each type of visited community on the roles different community members play in allowing child marriage, and they provided an opportunity to identify who has resisted child marriage (and why), while testing hypotheses on potential methods to address child marriage in the community, as identified in preliminary KIIs with MoLSAMD and UNICEF. + FGDs were conducted with only adults. They were single gender, composed entirely of either men or women.
Semi-quantitative, semi-qualitative religious and community leader interviews	+ Community Leader Interview guidelines generated evidence on the perceived legal (governmental, Sharia, and traditional) frameworks surrounding child marriage, thereby improving understanding of the justifications for child marriages and how the community as a whole approach them. + Interviews were conducted with community leaders, local elders and religious leaders of surveyed communities.
Case Studies	+ In-depth case studies were conducted with men and women married as children (including some who are still children) to analyse the role that they played in the marriage as well as document how this affected their familial relationships, and their thoughts and feelings on child marriage, to identify how these social norms are perpetuated and generate evidence on the impact of being married as a child. + Case studies were conducted with men and women of different age groups and marital statuses.
Key Informant Interviews (KIIs)	+ KIIs are in depth interviews with key stakeholders to better inform research and consultancy. + KIIs were conducted with the key stakeholders identified during the first phase of the project. These included government representatives, international organizations, non-governmental organizations, donors and relevant local actors.

Figure 3. Qualitative Research Tools

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1 Note that the use of subgroups - household members under the age of 23, household members who had been married as children (before the age of 18) who were currently under the age of 28, and girl children under 18 who were willing and able to participate in the survey – was intended to gather additional data from key groups and triangulate data from case studies regarding both impacts and preventative strategies. Subgroups were chosen to represent demographic profiles of particular interest, as balanced with the need to limit survey size for large households with many children (for example, collecting profiles on all household members for households with ten or more members, which is not uncommon in the Afghan context, could easily lead to overly long surveys and increase risk of survey fatigue). Younger demographics were chosen in order to have a clearer sense of more recent child marriage practices, as opposed to in older demographic groups which do not necessarily represent the current context.

Enumerator teams were trained in both qualitative and quantitative tools for two days, and then they tested the tools in the field during a one-day pilot. Samuel Hall's Field Coordinators managed field teams during the fieldwork phase, with the support of project team members who visited some field locations.

Remote data monitoring was conducted on a daily basis by the project team, along with data verification when in the field. Additional checks were performed on incoming data to validate the work of field teams.

Field research

Fieldwork began on 13 May 2017 and was completed by 11 June 2017. Fieldwork occurred over the space of one month with work in various locations operating simultaneously. In total, 661 quantitative surveys and 84 qualitative pieces (including FGDs, KIIs, community leader interviews and case studies) were conducted. Kandahar and Bamyan were specifically targeted as "in depth" provinces for the research, and as such, the interviews in Bamyan make up 27% of all quantitative interviews, and those in Kandahar, 29%.

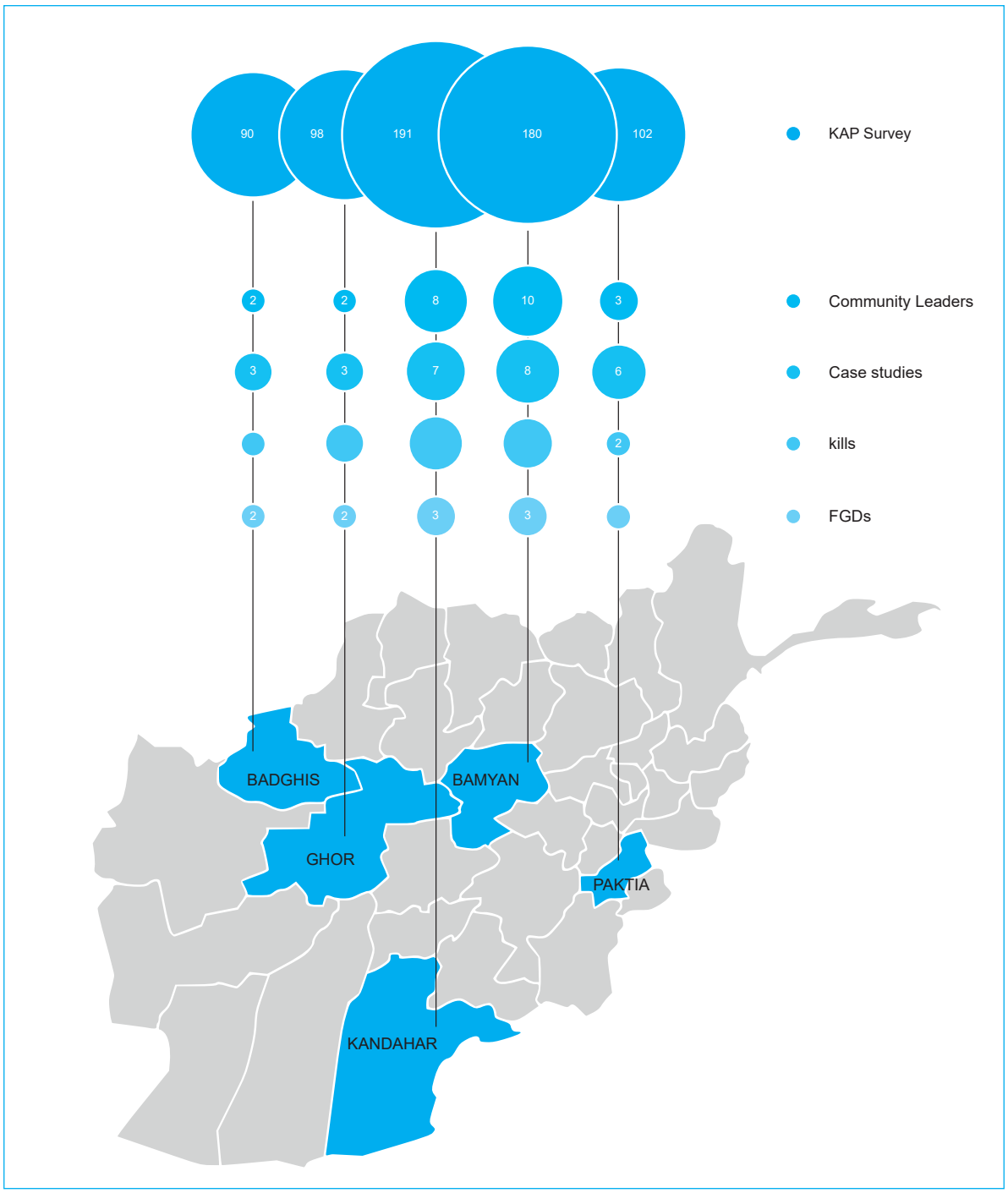


Figure 4. Map of Final Sample - Qualitative & Quantitative Research

Demographics and characteristics of the population surveyed

The findings outlined in this, and the following, sections are based on the population surveyed across both rural, semi-rural and urban locations in the provinces of Kandahar, Bamyan, Badghis, Ghor and Paktia. While the qualitative sample was targeted to specific populations, the quantitative survey was conducted at the household level and thus included a range of types of respondents. The information provided below is intended to help understand any potential biases in the response data.

Surveyed respondents fell across a wide range of ages. The mean age of respondents surveyed in the quantitative was 35 years old, with more women interviewed that men across the sample and by both location type and province, with particularly high levels (around 57%) of women respondents in semi-rural and rural settings. Respondents included members from all of Afghanistan's major ethnic groups. Most respondents were either the head of household or the spouse of the head of household.

Only a very small proportion of respondents had attended upper secondary school, while it was more common to have respondents who had attended some school - approximately one third had attended lower secondary school, only one quarter attended primary school. The remaining respondents had not attended school at all.

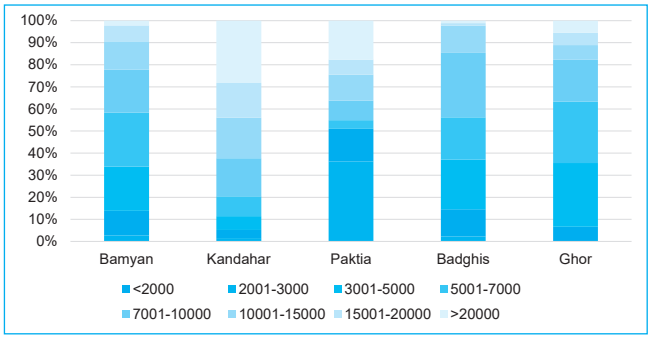


Figure 5. Household monthly income disaggregated by province (respondents are all the households, N=661) [Incomes measured in Afghan Afghanis]

The majority of respondents in urban and semi-rural settings ranged in income between 5001 and 20000 AFN per month, while rural populations were more spread across income brackets; however, with a lower median income, situations were quite diverse across surveyed provinces, with Kandahar having the wealthiest respondents, Bamyan, Badghis and Ghor having around the mean income, and respondents in Paktia being the poorest with 50% of respondents earning under 3000 AFN per month.

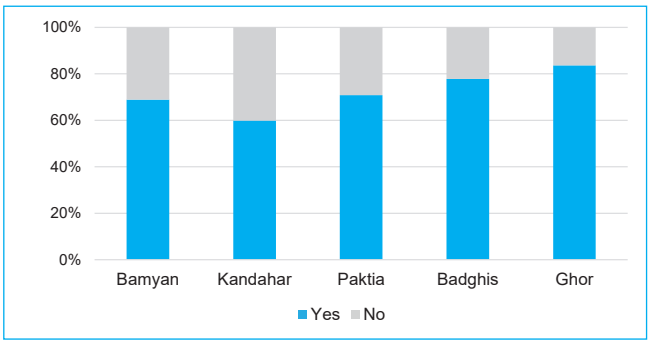


Figure 6. Q. Is your household indebted? (Respondents include all households, N=661)

Indebtedness was similar across location type, though it differed somewhat between provinces, with Ghor having the most indebted respondents (83%) and Kandahar the least (60%). Interestingly, there did not appear to be any connection between household education levels and levels of household debts.

C. The legal frameworks governing child marriage in Afghanistan

Child marriage in Afghanistan is practically governed by four potentially overlapping and contradictory sets of laws. The relative importance of these varies by location, and these sets of laws are not mutually exclusive: several sets of laws may govern people of one area. Decisions are often made at the community or individual level on moral or legal grounds that may differ from one place to another.

International law and human rights. Where Afghanistan is a signatory to treaties, these are legally binding; where Afghanistan is not a signatory, these concepts and the understanding of justice in human rights language is increasingly being used by the media, NGOs and other actors;

National law or civil law resulting from the Government of the Islamic Republic of Afghanistan's legislation. This in theory is applicable to all provinces of Afghanistan, and states that marriage for girls under 16 and boys under 18 is illegal;

Religious laws, including sharia law. These can overlap with customary laws, but also make up an element of Afghanistan's civil legal system; and

Customary laws, such as the Pashtunwali and other local or tribal rules that are not recognised by the GoIRA.

With regards to national law, relevant legislation applicable to the question of child marriage includes:

Marriage legislation: Laws of Afghanistan regarding the practice of marriage, including legal age for marriage, requirements for consent, and more recently, the registration of all marriages

Elimination of Violence Against Women (EVAW) legislation: Addresses sexual harassment and gender-based violence. The 2009 Law on the Elimination of Violence Against Women, although not confirmed by Afghan Parliament, criminalises child marriage, and other harmful practices.

Legislation around child protection: In this case, progress is underway on a Child Rights and Protection Act for Afghanistan. The 2006 National Strategy for Children at Risk also seeks to support vulnerable children.

Labour legislation: Article 13 of the Afghan Labour Law protects children and youth against exploitation and harmful or forced labour, including the labour exploitation of child brides or grooms, by permitting only light work in non-hazardous conditions from the age of 15, and traineeship / apprenticeships from the age of 14.

Human trafficking and smuggling legislation: Supports victims of trafficking and smuggling for labour, marriage or other purposes, including children.[3] The GoIRA has recently issued a new Law to combat trafficking in persons and smuggling of migrants.

Juvenile Justice Code: The Juvenile Justice Code of Afghanistan was enacted in 2005, and considers Afghans under the age of 18 as juveniles. It focuses on protecting children in conflict with the law as well as protecting children at risk. It may be applicable in relation to child brides or grooms who encounter the justice system as a result of opposing or escaping child marriage.

The potentially conflicting ends or underlying principles of these different legal systems can deeply impact individual understandings of justice – for example, where international and national law may focus more on human rights-based individualism, local and customary law may be more communitarian and prioritise the preservation of social order. Practices like baad and badal, as another example, are derived more from customary laws and it is this traditional element that provides the justification for the practice. Conversely, religious law can both provide foundations for preventing child marriage – marriage without consent, for example, is not to be considered valid according to the Quran – but also can be used to provide justification in terms of the appropriate age of marriage where its prescriptions are vague. Previous research into gender and justice specifically has highlighted a tendency to prioritise community or family harmony over individual rights in Afghan judicial systems, and particularly in tribal or community arbitration mechanisms.[4]

In addition to the above, there are a number of initiatives underway, involving the Government of Afghanistan, that seek to address child marriage. Key among these are:[1]

The recently launched **National Action Plan to Eliminate Early and Child Marriage** seeks to "develop and support initiatives to prevent and end child marriage, and improve the implementation of laws and provision of services to people affected by child marriage."[2]

Ministry of Women's Affairs-led initiatives around marriage registration [3]

Potential efforts to equalise the legal ages of marriage for both boys and girls in national law were also mentioned in a number of Key Informant Interviews during this research.

Figure 7. GoIRA Initiatives Addressing Child Marriage

D. Framing child marriage in Afghanistan: key concepts in context

There are a number of concepts that are central to investigating, or addressing, the issue of child marriage and how it occurs, due to its complex nature and the many factors that influence the practice. These include ideas of childhood, the value attributed to children, women and girls, and more broadly, the widely-held and deeply-embedded beliefs that shape the practice. This section will outline these important concepts in the specific context of Afghanistan, providing definition and background to the findings and recommendations that follow.

Childhood

In any research or programming focused on children and youth it is necessary to first understand not only what contemporary and applicable definitions of childhood, children or youth are, but also to consider how these may be impacted by the local context. Different countries and cultures, for a variety of reasons, including religious, cultural and structural factors, have contradictory understandings of

Figure7:
1 Please note that this is not an exhaustive list of all current government initiatives in Afghanistan.
2 2016 Girls Not Brides. Afghanistan launches national action plan to end child marriage. https://www.girlsnotbrides.org/afghanistan-launches-national-action-plan-end-child-marriage/
3 2016 Afghanistan Times. MoWA starts marriage registration to overcome violence against women. http://afghanistantimes.af/mowa-starts-marriage-registration-to-overcome-violence-against-women/

childhood and being a child. These can include, for example, differences in age of majority, which varies between 18 and 21 in most Western countries, and varied ages for voting and property ownership. These all illustrate that while there are internationally agreed to definitions of children, such as the Convention on the Rights of the Child, to which 196 states are party, the practical understanding of what this means is also culturally bound.

The international legal definition of a child states that a child is "a human being below the age of 18 years".[5] However, in Afghan law, as noted earlier, while the legal age for marriage is 18 for boys, that for girls is of 16.[6] It is far from the only country to display this kind of difference between international and national law, or to make gender-based distinctions in terms of ages of marriage, consent and other similar markers of childhood and adulthood.[7] These understandings can be highly contextually bound, and may differ greatly between countries, communities, ethnic and religious groups. The boundary between adolescence and adulthood is often fluid, where markers such as beginning of puberty, have been read as the beginning of adult life and therefore, adult responsibilities like marriage. This reading of adolescence as adulthood can have severe developmental consequences in terms of health, education, economic empowerment and mobility, as a recent UNFPA report notes: "…for many girls, puberty marks an accelerating trajectory into inequality. Child marriage is a primary source of this, curtailing a critical period for growth, learning, identity formation and experimentation."[8]

The assumption that saying 'child' in all contexts will translate to 'a person under 18 years of age' is thus incorrect at best, and harmful at worst; this assumption can lead to children being treated as adults when they should be afforded the legal protections appropriate for persons under 18.

This research, which specifically explored people's knowledge of the legal age for marriage, and conversely, their perceptions on the 'appropriate' age for marriage, found that among the respondents there was no consensus on a clear line marking the end of childhood. The difference between childhood and adulthood was rather a complex understanding, bringing together age, gender, perceived physical and mental maturity, community attitudes, and understandings of social norms and religious dictates. In fact, marriage itself may in some cases be considered an indicator of transition to adulthood. Respondents interviewed in the qualitative research also noted indicators such as good health, menstruation, and physical maturity, which could be used by decision-makers to judge 'adulthood' or readiness for adult life activities like marriage.

In Afghanistan, necessity and other factors have led children to work,[9] support families, and act as spouses or parents.[10] Both talking about child marriage and addressing it thus require clear communication on both sides concerning the definition of what is a 'child'.

The concept of childhood also poses additional challenges in conceptualising agency within the context of marriage. There is a broadly growing recognition of the complexities in balancing agency and empowerment with the need for protecting persons under 18, and this remains a challenging element of surrounding discourse on child marriage:

- Preserving the agency of children in decisions related to their lives should be an important element of child protection efforts related to child marriage – recognising that children have a say in their lives, and are able to make intelligent, informed choices.

- However, it is also necessary to recognise that children are legally unable to consent. This is why child marriage by definition falls into the category of 'forced' marriage – because children are unable to legally give their consent and therefore, a marriage, even with the agreement of the child, is non-consensual. While children may indeed be agents within the marriage process, both Afghan law[11] and international are clear that children are unable to consent to a marriage.

A key element of child protection in this sense is ensuring that children are neither placed in a situation where they are given difficult choices to make around marriage, for which they may not be physically or developmentally ready, nor having these decisions made for them, either by their family or community.[12]

Gender

The question of gender in the Afghan context remains strongly influenced by traditions.[13] These influence how girls and women are valued and dictate how women and girls can be treated.

In many ways these traditions are also self-perpetuating: this entrenched gender inequality imposes limits upon women that restrict their agency in society and within their own communities and families. By extension, this limits their power to make decisions surrounding their lives – such as whom and when they marry. While traditional gender roles may vary somewhat along regional, tribal and community lines, their impacts across the country are clear, in particular when they inform the perception of honour as related to the behaviour of women.

Violence against women, physical and otherwise, is common and suggested by some reports to be on the rise.[14] This is a clear manifestation of the unequal power relations that define the relationship between genders in Afghanistan, and these unequal relations are evident in many other areas of life for women – ranging from public participation, social mobility and access to education to their treatment within Afghan justice system.

The adoption of the Elimination of Violence Against Women legislation by presidential decree in 2009 provided a framework for addressing the challenge[15]; however, as the findings of this research and many others demonstrate,[16] violence against women remains a part of life for many Afghan women and is a phenomenon that is often connected to, or exacerbated by, child marriage.[17]

In this context, both vulnerability to and the impacts of child marriage are heavily gendered:

- Boys experience and are impacted negatively by child marriage, with added pressures to raise money for bride prices, to provide for families without the support of female household members, and to create and support families at a young age.
- However, they are less likely to be married under age than girls, health impacts are less likely to be severe, and their power in these relationships is comparably far greater as a result of traditional gender roles within families.
- Comparably, women are disproportionately impacted, and are not only more likely to be married underage but also more likely to suffer adverse impacts, particularly in terms of health.[18]

Social norms

A social norm is what members of a particular group – a nationality, tribe, business or any other grouping of people - believe to be normal or acceptable behaviour. It is built on 'social expectations' – what a person thinks others do, and what they think others think they should do. They are relevant to a particular group, though any individual may be part of many such groups, and that group's opinions and beliefs are what govern and maintain them – through social influence and various forms of approval or disapproval from group members,[19] most of which are accompanied by either legal or social sanctions that communicate group disapproval or inflict punishment.[20]

Broadly speaking, social norms indicate to group members what is appropriate and acceptable. They can have extremely powerful sway over communities and individuals and can guide behaviours concerning marriage. gender roles and elements thereof, such as domestic labour and household power relations – for example, who should perform what tasks, like a girl child undertaking cooking and cleaning while a boy child cuts wood. As such, they form an important element influencing child marriage, impacting the practice not only directly in terms of attitude to marriage, but more broadly in terms of perpetuating gender inequality and unequal power relations.[21] Social norms in the Afghan context can include elements such as tribal codes which provided either tacit or implicit approval to child marriage practices.

Economic costs & drivers

Perceived economic benefits can drive child marriage; increasingly, the costs of this are becoming clear through international research.

- Child marriage has a range of real or perceived direct economic benefits that can drive poor families to engage in the practice. As a recent OHCHR report outlines, "in many communities, marriage is often perceived as a way to ensure the economic subsistence of girls and women with no autonomous access to productive resources and living in situations of extreme poverty".[22]

- A recent World Bank review noted that, across a review of 15 countries, the likely loss of earning and productivity from child marriages of women was in the order of $26 billion.[23] This cost comes from a range of factors, including reduced education and thereby expected earnings and household welfare, maternal and infant health/ mortality, and population growth, and labour force participation.

These economic motivations must be taken into account in understanding social norms. UNICEF research notes that "social norms can have non-social origins, and can be ended by non-social causes including non-social program engagements"[24]. In this case, for example, social norms That provide approval for practices like badal may be strengthened by the combined economic imperatives of paying a bride price, or rather avoiding doing so, and an existing situation of poverty or low income.

The social nature of a household's economic standing – contributing to their positioning within their community, and their ability to resist social pressure via economic means – is particularly relevant with regards to child marriage. Issues of family honour, maintenance of social networks and economic security all have influence on child marriage decision-making processes.

All of these key concepts informed the design of the research, as outlined earlier in this in Section and in section 1B. Research Methodology, the analysis of the findings and the recommendations to be presented in the following sections.

Section 2. Assessing child marriage in Afghanistan: filling the current research gaps on prevalence and practices

Previous quantitative research on child marriage provides consistent figures on prevalence. This includes national surveys, such as the Afghanistan Living Conditions Survey, the National Risk and Vulnerability Assessment and the Afghanistan Multiple Indicator Cluster Survey.[25] Additional surveys, such as The Asia Foundation Survey of the Afghan People,[26] offer some measures of attitudes to child marriage, and the AREU's 2009 study on marriage practices provides in-depth qualitative research. [27]

However, no previous studies combine robust quantitative and qualitative research across prevalence, knowledge, attitudes and practices related to child marriage in Afghanistan. Thus this study takes a unique approach to nuancing the understandings of prevalence, practice and attitudes in relation to child marriage in Afghanistan.[28]

This section outlines the findings in these areas, which broadly support existing literature on the topic. **Section A** gives an overview of child marriage prevalence and practices based on the data collected in this survey. It also reviews child marriage practices captured in both the quantitative and qualitative research, which paints a picture of diverse opinions, ongoing harmful traditional practices and strong ties to economic factors in the minds of those engaging in and making decisions on the practice.

Key findings include that:

- Prevalence of child marriage remains high with 42% of households reporting at least one instance of child marriage in their household
- Baad[29], badal[30] and other 'harmful traditional practices' were found across the areas of research
- Girls are far more vulnerable to child marriage – not only were the reported 'appropriate' ages for marriage lower for girls, but more of the young female household members, profiled as a sub-group in the survey, reported having been married at a younger age than married boys did[31]
- Geographical variation in findings was greatest between provinces rather than between urban and rural areas; this may be in part due to differing educational backgrounds in each province
- 95% of young people under the age of 23 who were profiled in households were already married
- Harmful traditional practices were frequently presented as economically driven
- Religious leaders may be key influencers, but are not the ultimate decision-makers around child marriage

Section B begins to examine drivers of child marriage based on these findings, in particular:

- The role and value of children and girls
- Functional restrictions to government authority on marriage
- The role of economic factors
- The link between 'harmful' traditional practices and economic factors, and
- The restricted agency in decision-making that results from a complex web of factors, including social norms, economic challenges and security issues

Section C outlines the impacts that were reported by respondents in the research, ranging from economic and education issues to serious health concerns and violence.

- Health impacts are common and can be severe
- Domestic violence is reported by many Afghans
- Educational impacts are difficult to establish
- Impacts of child marriage are strongly gendered

Subsequent chapters build on these findings to address attitudes, social norms, decision-making, agency and consent.

A. The landscape of child marriage in Afghanistan

This research found that child marriage continues to occur across the surveyed provinces, with respondents reporting both boys and girls being married as young as 12. Girl children remain disproportionately impacted by child marriage, both in terms of vulnerability and impacts.

The prevalence of child marriage is high

The most recent survey on the topic found that 34% of women and 7% of men in Afghanistan aged 20 to 24 had been married before the age of 18. This survey specifically asked if any people in the household had been married before the age of 18. 42% of households across the 5 surveyed provinces indicated that at least one member of their household had been married before the age of 18.[32] This is slightly higher than the most recent survey data collected, but roughly in line with other data previously collected on the topic in the last few years. For example, the AMICS gives a rate of 46.3% for women aged 20-59 years who were married before turning 18,[33] allowing for some margin of error and a variation created by different specific queries. Similar trends have been identified in the DHS 2015 (45% of women and 11% of men were married by the age of 18).[34]

Type of location is less important than expected in predicting likelihood of child marriage

Key informants had, as below, highlighted a perceived urban-rural difference in child marriage decision-making.

"Child marriage is never acceptable for an educated family. The city people and educated women don't accept early marriage because they are aware of its negative consequences. But, in some rural areas, traditional, religious, illiterate families are trying to marry their daughter under age."(KII –Department of Hoquq, Bamyan)

Despite this expectation, no significant variation in child marriage prevalence appeared between the three surveyed location types – urban, semi-rural and rural, contradicting a frequent hypothesis. However, the actual difference between urban and rural areas, particularly in some provinces, is often unclear given the small size and comparably rural setting of even larger towns in provinces like Paktia, as compared to major cities like Kandahar.[35] Additionally, this research includes only one of Afghanistan's five major cities. Further research expanded to more urban, and more rural, areas is thus necessary to confirm this finding.

The research did, however, find significant disparities in households reporting a child marriage between provinces. Paktia and Badghis had very high rates of reported instances of child marriage in the household within the KAP survey – 66% and 55% respectively. Kandahar, at 45%, and Bamyan, at 31%, fell closer to the usual statistics cited in Afghanistan, while Ghor was the lowest at 21%.[36]

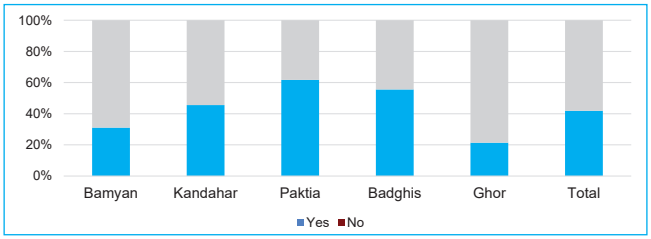


Figure 8. Q. Were any of the married members of your household married before the age of 18? (Respondents include all households, N=661)

The only significant factor found to correlate with child marriage rates (including economic factors, such as household debt and level of income) was the highest level of education for any member of the household. 56% of households who reported instances of child marriage in their household indicated that no members of their household had received any education, and by comparison, households that reported lower secondary school as the highest level of education in the household reported a rate of child marriage that was 36%.

Perceptions of child marriage frequency and trends vary widely, even at a local level

While the above findings suggest a consensus on the existence of frequent child marriage practices, the qualitative research nuances this. Even those who report that incidences of child marriage are on the decline continue to highlight it as an ongoing problem. Responses on the topic in one particular focus group discussion demonstrate the range of perceptions evident even within one group located in the same community:

"In today's society, mostly marriages are not [made] on the basis of customs and tradition and ancient culture. And mostly, child marriage takes place less [often]."

"Presently, all people get married underage in our society […] for the reason that there is no work or job."

"I can say that child marriages have lessened in our region currently because radio and television have been created through which we became familiar more about problems of child marriage. And mostly their

ideas have been changed compared to the past. For example, marriages took place from age of 13 – 14 in the past, and currently child marriages are at least from age of 17 seventeen years old up to 18 eighteen years old." (Female FGD – Semi-urban – Bamyan)

Existing data is insufficient to substantiate a recent increase or decrease in child marriage; although there is evidence of a slight decrease – for example, the most recent surveys recording child marriage show a decrease between 2010 and 2015 from 39.2% to 34.8% for women between ages 20-24. The range of opinions around prevalence, in addition to the above data, suggests that, at the very least, child marriage rates are not increasing; even as public perception of the acceptability of child marriage has decreased.

Potential underreporting of child marriage rates

This survey profiled household members under the age of 23 within the households surveyed. A number of these reported having been married under 18 years of age, at ages ranging from 12 to 17. Although the margin of error here is greater, these profiles suggested higher rates of child marriage than existing data.

Each household in the KAP survey with members under the age of 23 was asked specific questions about these members, specifically targeting marriage practices. The graphs that follow indicate the ages of marriage that were cited for this subset of households, including age at marriage and education. Of the household members under 23 years of age who were profiled by the survey, most were between 18 and 22 years old at the time of the study, and 95% were already married – Figures 9 and 10 underline that many of these were under 18 when married. Given the frequently expressed awareness by many of those interviewed that child marriage is harmful, this suggests that there may be underreported levels of child marriage.

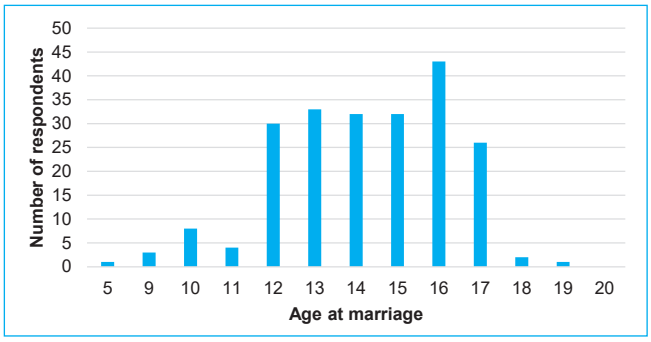


Figure 9. Reported age at marriage of female profiled household members under 23 years of age, who are married (N=215)

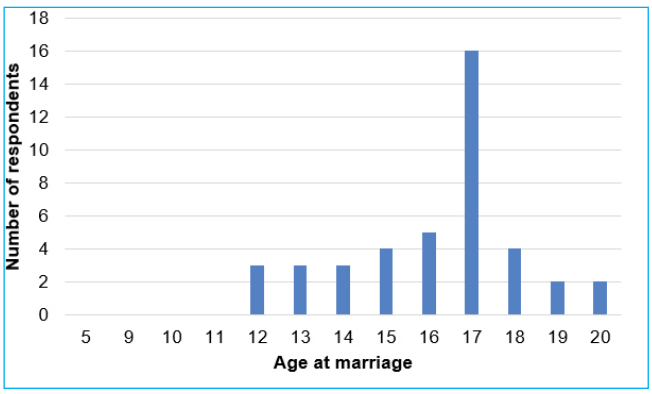


Figure 10. Reported age at marriage of male profiled household members under 23 years of age, who are married (N=42)

This high proportion of household members married in this age group, and reported ages of marriage under 18, also suggest the strength of social norms that dictate early marriage and indicate, to some degree, the pressure families may be feeling to marry children.

The vast majority of female household members under the age of 23 who were profiled by the survey reported being married before 18 (see Figure 9).[37] Although the qualitative research primarily engaged with female participants, due to the widely held understanding that child marriage more adversely affects girl children, information was collected on male participants, but with a much smaller sample.[38] Both genders reported negative impacts resulting from child marriage.

Religious leaders are key influencers but not decision-makers

Religious leaders, like mullahs and imam, play a key role in community perceptions and practices of child marriage. Not only are they considered to be trusted voices on a topic generally considered to be primarily religious in nature, but they are important actors in the process and practice of marriage as an overwhelming majority of marriages are performed by them.

However, as later sections of this report will examine in greater detail, they are not necessarily final arbiters of marriage decisions nor the most important voice. While the qualitative research often suggested that these would be important influences on attitudes to child marriage, the majority of respondents in both the qualitative and quantitative research indicated that other family members' opinions were listened to the most: when asked who they would listen to regarding a decision on child marriage, respondents overwhelmingly (79%) said family members, rather than mullahs or imams. This finding is further detailed in Section 4.

Registration of marriage is not considered important and rarely happens

Registration of marriage is exceedingly rare, with few of those marrying under 18 recently reporting having registered with the government (see Figure 11) – the vast majority of respondents had not registered their marriages and did not think it was necessary or important.

"No, my marriage wasn't officially registered with the government because it is not a custom in our community to register marriage officially. Because people are living with the old traditional beliefs, they don't know anything about government. The community mullah did my wedding certificate. I was not there at the time of my wedding, from my family only my uncle was my wakil[39] and from the family of groom his father was wakil, and he [the groom] was not present. Just the two wakils with the community mullah performed the ceremony. In this community it is not part of the custom to have a marriage certificate."
(Case study – Female Married Age 17 – Bamyan)

Registration	Percentage (%)
Yes	8.8
No	91.2

Figure 11. Q. Were any of the marriages of individuals under 28 and married under 18 in your household registered with the government? (N=204)

	Bamyan	Kandahar	Paktia	Badghis	Ghor	Total
Yes	20.5	7.4	5.1	0.0	7.1	8.8
No	79.5	92.6	94.9	100.0	92.9	91.2

Figure 12. Provincial Data for Q. Were any of the marriages of individuals under 28 and married under 18 in your household registered with the government? (N=204)

There was little variation on this front at the provincial level, as the table above demonstrates, with the highest registration rates for child marriages in Bamyan; even in this province 79% of reported marriage were not registered, compared to over 90% for all other provinces.

"We do the niqqa[40] through the mullah. We don't visit court to do the niqqa, we don't need any other document, we [just] do niqqa in presence of a mullah."
(Case Study – Engaged Female Aged 22 Kandahar)

These low rates of child marriage registration are in line with broader trends around marriage registration.[41]

This suggests that the registration of marriage is considered to be a religious issue to be dealt with by religious institutions or leaders, rather than a civil or government issue. This perception influences not just people's understanding of who relevant authorities are on marriage, but also their understanding of which rules and laws apply.

B. The drivers and enablers of child marriage in Afghanistan

The findings above suggest that the issue of child marriage is a more complex matter than is often perceived and portrayed by both communities and actors seeking to address it, with multiple factors and issues involved – for example, the perception that child marriage is the norm coupled with a need for economic relief provided by a bride price or dowry.[42]

These may occur in a different order for different individuals, with social pressures acting as a greater driver for some and secondary factor for others.

Broadly, these drivers of child marriage can be classified as social or economic:

Social: the influence of social norms and community attitudes, the cultural restrictions imposed by tribal, family or community networks, and the prevalence of parallel legal systems that may more easily allow for traditional practices – harmful or not – to take place.

Economic: the transactional nature of marriage involving exchanges of money or goods, perceived or actual economic disadvantages or insecurity, and coping mechanisms for economic or other kinds of shocks.

Geography and demographics clearly play a role, given the strong provincial variations in reported rates of households with members married under the age of 18.

Additionally, harmful traditional practices, such as baad and badal in particular, appear to be strongly economically driven, as reported in the qualitative research. While these practices are connected to economic circumstances, they are also deeply linked to social norms, and respondents often identified both as drivers of this behaviour. This sub-section will outline drivers of child marriage in the Afghan context as identified in this research, which will be further explored in future sections to expand on and assess their relative relevance and impact.

Understanding of what defines a child and the roles of girls and boys

The understandings of the role and value of children and moreover, what age or other markers distinguish the end of childhood, are an important contributor to ongoing child marriage practices.

While this is certainly not the only factor driving child marriage, the contrast between the number of people who professed opposition to child marriage, and the still high incidence of child marriage recorded in this survey, do suggest differences in understanding between the broader definition of child marriage, as according to international law (and cases also prohibited by Afghan law), and the definition as understood by some of those whose children are marrying. This difference reflects contradictory views of the age at which young people are no longer children and thus able to get married.

This contrast between high opposition to child marriage and the continued existence of the practice also underlines that the value of children as an economic resource in the context of marriage may override or outweigh personal or familial opposition.

This is compounded by traditional understandings of gender and gender roles in ways which disproportionately increase the vulnerability of girls to child marriage. Girls offer a greater economic value in the transactional process of marriage, and are attractive as a potential source of domestic labour to their future household; keeping them at home can be perceived to carry both an opportunity cost and literal costs (of food and other necessities).

The Afghan government's limited ability to enforce frameworks around child marriage

The very low level of registration of marriage in Afghanistan that is suggested by this study's findings and confirmed elsewhere represents a key enabler of child marriage. While there are some existing legal frameworks to address child marriage – Afghan law does prohibit marriage before 18 for boys, and before 16 for girls unless parental consent is given, in which case girls may be married at 15 but no younger[43] - the lack of registration for marriages of all kinds makes tracking indicators difficult.

The implicit assumption underpinning this – that marriage is not the business of the government – is thus crucial to address in order to prevent child marriage in sustainable, long term ways. This is a social norm that directly impacts who is seen as the authority on the topic of marriage. The research highlights that currently, for many Afghans, this role is not filled by the government but rather by religious institutions, communities or household members.

As long as this is the case, efforts to address child marriage will be hampered by the government's limited perceived authority on this issue, whether in terms of raising awareness, improving education on the topic, seeking to improve registration rates, or attempting to punish or sanction those who are involved in the practice of child marriage.

Economic reasons are the key explicitly-reported driver for child marriage by respondents

Economics is a critical element of marriage in Afghanistan, including child marriage. Marriage is in many ways a transaction shaped by economic circumstances, ranging from debt and a lack of resources to general economic situation, and it is an economic relationship in itself.

"The attitudes of this community toward child marriage are very bad, of course they view child marriage as a negative phenomenon. So, if the people practice child marriage, it is because of obligation. They receive more money in exchange of their daughters."
(Community Leader Interview – Village Malik – Kandahar)

Most of the households interviewed for this survey reported having engaged in either paying a bride price or paying dowries, and then financing these through savings or loans. Prices reported for this were in some cases very high, in the order of hundreds of thousands of Afghanis. Badal in particular was often framed as a response to this kind of economic challenge, and to the high cost of bride prices in particular.

Perhaps most significantly, when asked what needed to change so that no one was married before the age of 18:

1. The most common response – from 31% of household respondents – was a 'better economic situation'.
2. The second most common response at 18% was a better security situation, with respondents replying that they would marry children 'for their safety'[44],
3. These were followed by 'less social pressure to marry' and 'more likelihood of penalty from the government'.

Both qualitative and quantitative research had respondents report these concerns, and qualitative data confirmed economic pressures as a key driver. Moreover, for household members under 23 years old who were profiled in the quantitative survey, economic pressures were cited as key drivers of marriage, as Figures 13 and 14 demonstrates:

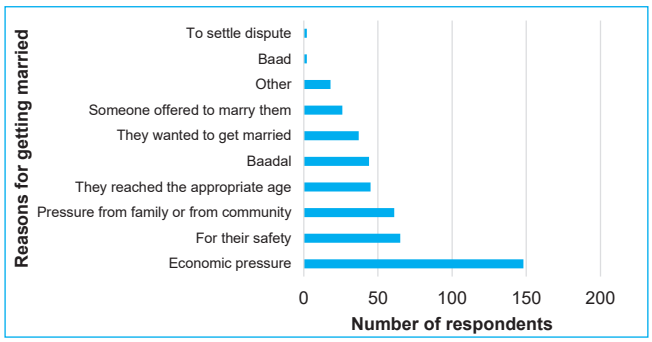


Figure 13. Reasons for marriage cited for female profiled household members aged 23 and under (N=215)

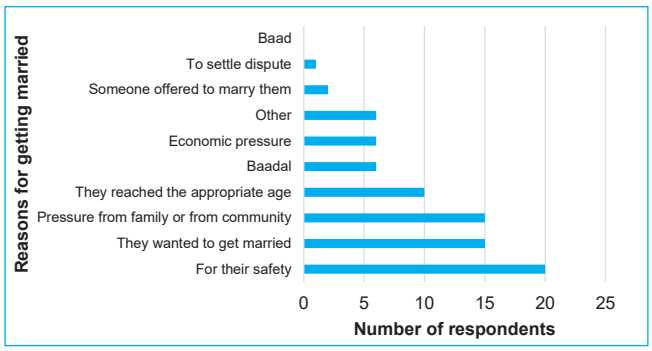


Figure 14. Reasons for marriage cited for male profiled household members aged 23 and under (N=42)

However, the quantitative data does not establish that levels of income and debt are necessarily related to the prevalence of child marriage and while in-depth economic profiling was not conducted for this survey, and there are multiple measures of poverty that may also account for these findings, there was no correlation in the data collected. Additional regression analysis conducted on this data suggested lower statistical significance of self-reported household income than expected, though it remains possible that it acts as an underlying driver.[45] It follows then that the perception of the need to use child marriage as an economic coping mechanism is likely not always absolute, but instead relative. As such, the economic arguments brought by households to explain the persistence of child marriage in Afghanistan are not necessarily related to an absolute threshold of economic need, like being indebted or having limited resources. Instead, they may just as much be linked to the perception of their future economic security and situation, including uncertainties about the short term economic future, which may be a driver to settle marriages as soon as possible for children. Both real economic pressures and perceived or potential economic pressures can impact household decision-making in this arena.

As noted above, in terms of the reasons that were reported by respondents as to why already married household members under 23 years old had been married – i.e. what justification was offered for cases of marriage for younger people in the household - economic pressures came to bear for 30% of cases.

Thus, while the research shows that it is an oversimplification to suggest that child marriage is purely economically driven, for many of the people continuing this practice, economic factors are reported as a primary driver. However, the economic challenges, for which child marriage may provide a solution, may be more perceived than real in some cases, or reflect a concern for future economic problems rather than existing ones.

'Harmful' traditional practices, such as baad and badal, are closely tied to economic factors

'Harmful traditional practices' around marriage (as defined by the OHCHR)[46] continue to occur, as indicated by reports in both the quantitative and qualitative sample, and these in particular appear to be economically driven.

Our research, along with previous studies on marriage practices,[47] suggests that people in the Afghan context are, either actively or unwillingly, participating in these practices. These are perpetuated by a range of external factors, including economic conditions and in particular, by social norms, in this case, those regarding marriage and traditional gender roles. In the context of this research, these practices were very often reported to either have been engaged in for economic purposes, or perceived to be driven by economic constraints.

"The reason for [the marriage] decision was our traditions and badal. I was exchanged in badal with my uncle's wife and the decision was made only by my father and grandfather."(Case Study – Married Female (married at age 13) aged 22 – Rural Badghis)

Restricted agency in decision-making

The complex range of pressures that households can experience in the process of deciding whether to marry their children, and the interconnected nature of these factors, contributes to restricting household agency in decision-making. This section has outlined a range of drivers, including religious imperatives, economic pressures, social norms, community attitudes and traditional gender roles, among others.

Section 4 of this report will explore how these drivers shape decision-making in households, how they can result in adverse outcomes for children, and how important a nuanced understanding of these factors is in order to give communities, families and children a greater capacity to resist child marriage.

C. The costs and impacts of child marriage

The costs and impacts of child marriage have been reported across a number of contexts, South Asia and Afghanistan included. Linkages have been established in many countries and communities between child marriage and a range of health, economic and social concerns, such as infant and maternal mortality, malnutrition, poor educational outcomes for mothers and children, reduced earning potential, household inequality, domestic violence, depression and suicide. Both the qualitative and quantitative research conducted found that these impacts and trends hold true in Afghanistan.

Health impacts of child marriage are understood to be common and potentially severe

Opinions amongst household respondents varied regarding whether child marriage had directly negatively impacted their household members – when asked whether members of their household who had married before turning 18 had experienced negative impacts as a result, the responses were almost evenly split between strongly disagreeing, disagreeing, agreeing and strongly agreeing.[48]

Respondents were also asked whether they generally felt that child marriage had negative impacts upon the health of child brides, and the following graph demonstrates their responses, highlighting that communities are aware of the negative health impacts of child marriage.

The health impacts appeared clear in both the quantitative and qualitative research, with a particular focus on maternal and infant mortality, and general maternal and infant health.

"I got married when I was so young. When my first child was born he died, I have back pain, during the delivery I was in so much pain, even there was danger of death." (Case Study – Married Female Age 30 Kandahar)

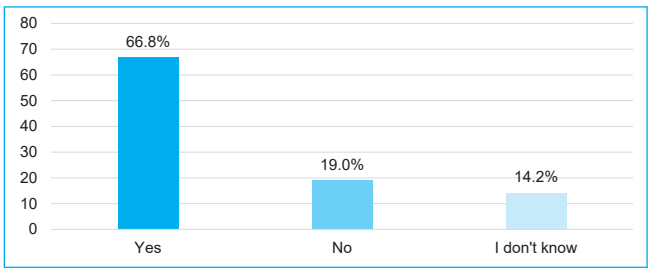


Figure 15. Percentage (%) of household survey respondents reporting negative health impacts of child marriage for girls (N=274)

The actual experiences of interviewed households confirm their perception of the negative health impacts of child marriage: when asked if any of the girl children married before 18 – in households with members who had been married as children – had experienced health problems, the majority answered yes, with 43% reporting pregnancy or birth related complications, among other health issues.

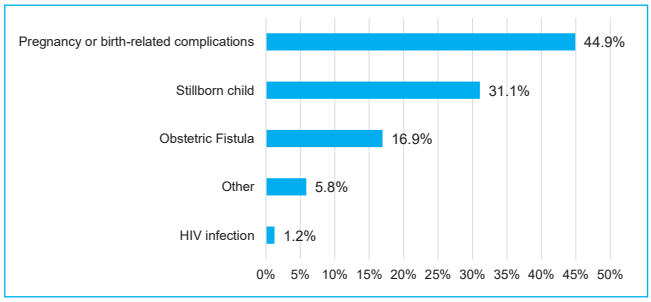


Figure 16. Health issues experienced by girls married before age 18[49] (Note: respondents include all households which have a member who was married before 18, N=183)

In addition to health impacts reported in the quantitative survey, qualitative research frequently highlighted the health impacts upon mothers and children, with multiple reports of pregnancy complications, infant mortality, and chronic illness resulting from early pregnancies.

"It affects health during pregnancy and delivery, it is dangerous for the child and mother of child […]. And beside the child, it has an effect on the health of the mother. We didn't know before that child marriage had side effects, but now we understand, we should restrict and prevent child marriage, and tell others to stop doing child marriage."
(Case Study – Married Male Aged 25 - Kandahar)

Finally, domestic violence is commonly and generally linked to child marriage,[50] and domestic violence is a well-known phenomenon in the Afghan context.[51] While domestic violence did not come out strongly in the quantitative research, reports of it were common in the qualitative research, particularly in case studies.

It was, in particular, often linked to young girls struggling in their new homes or not being prepared to manage households. In-laws were regularly identified as perpetrators of violence not necessarily linked domestic labour and responsibilities.

"My relationship with my husband's family is very bad. My mother in law is oppressing me a lot. Although I am doing the things that she wants, still she is arguing with me. My father-in-law and mother-in-law have even beaten me. The oppression upon me is endless, I even want to commit suicide. […] Then I called my father and decided to get a divorce because I am not comfortable in my husband's family. I am always looking for a corner to hide myself because I am scared of my mother-in-law. I never feel safe in my father-in-law's family because the oppression by my mother-in-law is so much." (Case Study – Married Female Aged 17 – Semirural Bamyan)

Economic and educational impacts are complex

While it is often understood that child marriage limits educational opportunities, the impacts on education in this study are less clear – in large part because, in an Afghan context, it is common for girls to be out of school regardless of marital status.[52] Some girls reported that they were not in school despite not being married and more importantly, the overwhelming majority of household members under 23 years of age who were profiled were no longer attending school.

School Attendance	Percentage (%)
No	91.1
Yes	8.9

Figure 17. Q. Do you still attend school? (Respondents of 23 years of age or below, N=257)

Existing research suggests that there are links between school attendance and child marriage, with the 2015 DHS finding that child marriage was the third most reported reason for girls dropping out of school (19%), while it was the fifth most common reason for boys (2%).[53] The qualitative research underlined that while some girls hoped to return to school after marriage, many respondents felt married children could not or would not return to or continue schooling after marriage. The influence of child marriage on school attendance and dropout rates has also been confirmed by several studies specifically investigating the issue, suggesting that both boys' and girls' education suffers from child marriage,[54] though girls significantly more so, as they are expected to perform household chores, and pregnancy can also prevent school attendance.[55]

While the economic impacts of child marriage for women are wide-ranging, they were not the focus of this research. Few women reported that they were able to work after marriage – and conversely, men reported economic challenges as a result of child marriage. Both of these were also referred to in the qualitative research as a challenge stemming from child marriage, meaning that child marriage can thus perpetuate long-term economic problems, even though it may solve short-term economic challenges at a household level.

D. Understanding child marriage as a complex problem

This section has illustrated that child marriage is a serious ongoing problem and a practice that is prevalent across provinces. On the surface, this might suggest that child marriage is widely supported. However, assigning simple, direct or individual causes to child marriage as a broad phenomenon is misleading, and obscures the issue. Attitudes and practices, either on a personal or communal level, do not necessarily align. Further and stronger analysis of the individual and collective understandings of child marriage in Afghanistan, and the decision-making processes around it, is thus necessary to address it.

As such, the following sections will illustrate the gaps between practices and attitudes and the factors that contribute to this apparent dichotomy, with Section 3 exploring the understandings of child marriage in terms of how understanding of the phenomenon translates (or does not) into action, and Section 4 investigating the decision-making process and the external constraints that restrict the agency of households and reduce the space to resist child marriage.

Section 3. Knowledge & attitudes on child marriage: wide opposition, narrow understandings, few changes

Knowledge and understanding of the impacts of child marriage on children, families and communities was widespread amongst those interviewed for this research. While most people do believe that child marriage has a negative impact on the children involved, this understanding is narrow and largely framed in a health perspective. Respondents frequently raised the clear and often life-threatening physical impacts of child marriage in interviews. However, the impacts on family life, on education, on the lives of children, and on the ongoing economic impacts is often only a secondary consideration if mentioned.

Moreover, respondents had only a vague understanding of the legal and religious frameworks related to marriage, ranging from the legal age for marriage to the legality of practices such as baad, badal and bride prices. When they could give answers, they often expressed uncertainty about their validity.

The question of child marriage, therefore, remains very much under debate at an individual, household and community level, with reported personal opposition not always translating into different attitudes or practices. Knowledge about the negative effects of child marriage does not always result in a change in the attitudes towards the practice, or more importantly, in choices to not engage in the practice. What in some ways appears to be an internal contradiction must also be understood in the context of the diverse Afghan understandings of justice, where on a local or community level, customary laws may be considered the most legitimate legal order. These local frameworks for justice may effectively, if not theoretically, outweigh individual and even community knowledge of Afghan civil law and of the potentially severe impacts of child marriage in decision-making. In this sense, social and cultural norms provide tacit approval for the practice, while economic and security drivers provide the impetus to engage in it. Conflict between personal attitudes and perceptions of community-level attitudes and social norms is thus common.

Key findings presented in this section include:

- **Narrow understandings: There is little clarity on, or understanding of, legal and religious frameworks, though these are often used to justify opinions or attitudes;**
- **Wide opposition: Knowledge of the negative impacts of child marriage is common, but narrow in focus and highly experiential;**
- **People are most likely to be aware of health impacts, while other impacts may be considered secondary or be less well-understood;**
- **Attitudes to child marriage vary, but were more negative than positive at a personal level;**
- **Few changes: 'Harmful traditional practices' (i.e. baad, badal) continue but are divisive;**
- **Paradigms presenting child marriage as a means of protecting girls from social and physical harm continue to wield strong influence**.

A. Narrow and varied understandings of child marriage impacts and relevant frameworks

While most respondents were at the very least aware that there are potential negative impacts of child marriage, this was often largely framed in terms of health impacts. In the qualitative research, respondents were largely able to recount stories of physical harm related to child marriage, ranging from health impacts to domestic violence. Impacts on education were also noted but the primary impacts in the minds of respondents appear to be maternal and infant health related.

Significant focus on health impacts, particularly related to pregnancy and childbirth

The findings of the quantitative and qualitative research elements of this study suggest that people

are mostly aware of health-related impacts of child marriage. When asked what the most important issue to consider was as related to child marriage, 30% of household respondents said the higher likelihood of mothers dying in childbirth. This answer was also the most common when respondents were asked about factors that may have impacted their decision-making and led them to marry their children later.

"My sister faced lots of problem while she gave birth. That is why that my father made the decision for my other sisters to marry at age 18 or above.
" (FGD – Rural Women – Ghor)

Concerns regarding health impacts of pregnancy and childbirth on young mothers more broadly were nearly as common, followed by concerns regarding the potential impacts on health or mortality of infants.

As Figure 18 illustrates, the hierarchy of factors between what people underlined as the most important factors to consider, in an abstract sense, when taking decisions on child marriage, and the factors that reportedly actually impacted decisions to have children marry at a later age, are quite similar. These results remain consistent when broken down by gender, province and type of location. No significant change in this trend can be seen depending on these variables, which tends to show that the perception of major impacts presented above is the same whatever the gender or the location of the respondent, within the provinces of research.

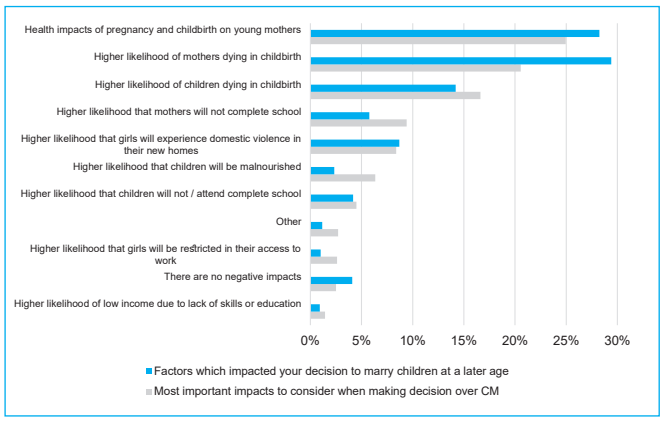


Figure 18. Factors impacting decision-making processes on child marriage (N=274 and N=661, respectively)[56]

Most respondents that reported having girl children in the family who had married under the age of 18 said that there had been negative impacts as a result, including pregnancy and birth-related complications, stillbirths, and ongoing problems like fistulas. Understandings of the impacts of child marriage thus seem primarily driven by experiences – personal or from family and friends – that demonstrated the negative impacts on the health of girls in particular. Knowledge of these impacts does then appear to have clearly influenced attitudes. While in some cases, as noted above, this has translated into different practices and conflicting drivers mean that the understanding of these impacts has not been sufficient to significantly decrease child marriage practices.

Broader experiential understandings of impacts on family and relationships

This clear link between experience and knowledge of impacts and reported attitudes to child marriage was also highlighted by the qualitative findings.

These highlighted impacts include domestic violence, family discord, and limited education or work opportunities. Particularly for women, the understanding that young girls are not physically or mentally prepared for the burden of marriage was very clear.

"At 16, at least a girl has some capacity to have a family, give birth, and to do so healthily and safely. But at 11 or 12, a girl needs her mother, not to be a mother. Often people ask me why I, at 30 years old, am not married with children, but even at my age I sometimes can't imagine the responsibility of being a mother, and if I cannot, how can a girl of eleven or twelve do it? They are having their childhoods stolen away from them by being forced into marriage and motherhood so early. For now, and from an Islamic perspective, marriage at around 16 is okay, because we can't change everything so fast and impose our views on everyone, but at least, at this age, girls may be strong and old enough to manage a marriage." (KII - Women's rights advocate, Kandahar)

Generally speaking, people felt that children who are too young should not be married as they are not prepared to be married. This ranged from readiness for childbirth, to having not finished school, to, for both boys and girls, not being old enough to understand what marriage means in terms of interpersonal relationships, such as taking care of children or treating your spouse properly.

Divided opinions and varying levels of awareness

At a broad level, respondents had an understanding of some of the negative impacts of child marriage, especially on health. However, when asked about the impacts of child marriage specifically on married family members of their own households, this did not always seem to apply. 22% said that they strongly disagreed with the statement that members of their households who were married under 18 experienced negative impacts as a result, while 15% said that they strongly agreed – the graph below demonstrates the divide between reported attitudes:

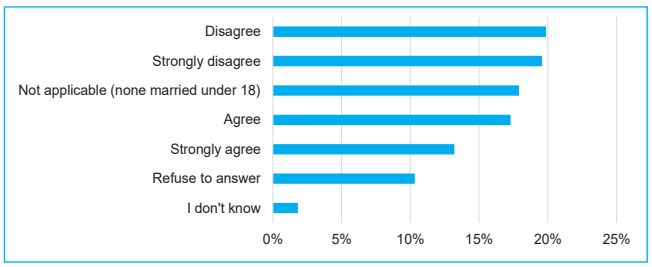


Figure 19. Q. Do you agree with the following statement: "The members of my household who were married before they turned 18 experienced negative impacts as a result." (Respondents include all households, N=661)

This result, drawn from respondents who had indicated that family members in the household had been married under the age of 18, varies significantly depending on provinces. No significant variation was found in the correlation with the type of location: opinions varied from 10% to 20% in every category, overall reporting slightly more disagreeing voices in the three different types of location (rural, semi-urban, urban). Gender, however, plays a role: while women's opinion was evenly split from strongly agree to strongly disagree, over 80% of men either disagree or strongly disagree.

Opinion was similarly divided as to whether there were safety or security concerns for girls resulting from child marriage, where out of all respondents surveyed 48% said yes and 41% said no. Those that replied yes, however, overwhelmingly identified that threat to safety being from poor treatment or physical abuse in their new homes.

Conversely, while a large section of respondents across all surveyed households reported that they believed child marriage had no positive impacts (41.7%), a significant number also identified benefits resulting from child marriage. The primary positive impact suggested was safety in new homes – particularly interesting given that moving to a spouse's home was also identified as a risk by many respondents, perhaps suggesting a different thought process in regard to safety. Families who felt girls were safer in their new homes may be prioritising the girls' reputation, their safety from attacks or behaviour that may compromise their moral standing or even their economic and/or food security.

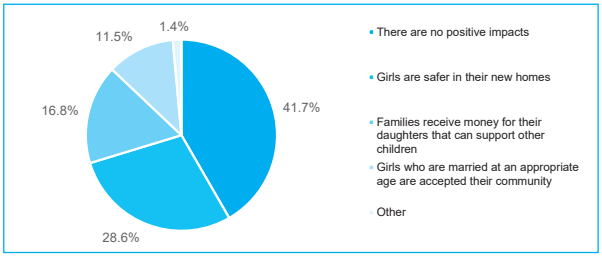


Figure 20. What, if any, do you think the positive impacts of child marriage are? (Respondents include all households, N=661)

Perceptions of the potential positive impacts of child marriage vary significantly depending on the province, the type of location and the sex of the respondent:

- Household survey respondents in Ghor almost all (92%) reported that child marriage has no positive impact. A majority of respondents in Bamyan also believe that there are no positive impacts, although almost a third also reported that girls are safer in their new homes.

- In Kandahar, Paktia and Badghis, the answers are less homogeneous; less than half of the respondents believe that child marriage has no positive impact. This is particularly true in Paktia where around one-fifth of the respondents believe so. In these three provinces, "Girls are safer in their new homes" and "Families receive money for their daughters that can support other children" were the two most frequently given answers.

- Although variations are not as wide for the type of location as for provinces, fewer people (15 points of percentage less) believe child marriage has no positive effects in rural areas, as compared to urban ones. More respondents in rural areas believe that girls are safer in their new home than in urban areas.

- Finally, and significantly, more female respondents than male respondents report that there are positive impacts to child marriage – and additionally, further analysis suggested that female respondents and female headed households were more likely to practice child marriage.[57]

The second most common benefit was seen as economic gain to families, followed by their acceptance in communities. These perceived benefits in terms of alleviating economic pressure and conforming to social norms are very much in line with the overall findings of this report, suggesting that despite reported attitudes that may oppose or challenge child marriage, child marriage practice remains deeply connected to structural constraints embedded in prevailing social norms – social norms that demand the preservation of girls' honour and traditional gender roles more broadly, and the economic structures surrounding marriage, like baad and badal, that contribute to making child marriage a potentially appealing economic strategy.

Little understanding of legal and religious frameworks

Awareness of the legal or religious frameworks regarding child marriage is poor. Less than half of household survey respondents correctly identified the

legal ages for marriage for boys and girls as stated in the national law and in the qualitative research, many expressed doubt or uncertainty about what was and was not legal or permitted by religious law.

Religious law or the dictates of religious leaders were variously cited as both a justification for child marriage and as a reason why child marriage should not be allowed.[58]

"I consider child marriage in my community positively. It is good according to Islam as well, it prevents children from committing sin." (FGD – Urban Women, Paktia)

"Child marriage happens as result of people's lack of information, and it is never acceptable, even according to Islam." (KII – Protection Specialist, Ghor)

"Islam says that a girl or a boy should get married as soon as they hit puberty. A girl reaches puberty at the ages of 13 to 14 and therefore the marriage age has been set to 15 years of age. It is good for the community if boys and girls get married at this age. It is also good for boys and girls." (Community Leader Interview – Community Wakil, Kandahar)

"According to Islam, child marriage is wrong and from health perspective it is also wrong. Also, the brides in the family are supposed to take care of all the activities around the house, but a "child can't take care of a child." (KII – AIHRC, Kandahar)

"Marriage under the age of 18 is very common and many people marry in age of 15 it is common in this community. But yes, most people in this community, such as community leaders and mullah, say these kinds of marriages are not good."(Case Study – Married Male Aged 17, Badghis)

This strongly suggests that people are not very aware of the legal or religious frameworks that govern marriage, as this wide range of understandings was found not only in community focus group discussions and case studies, but in interviews with community and religious leaders along with subject matter experts in key informant interviews.

Generally, people were also not very aware, or not very certain, of the particular ages at which child marriage becomes legal: all survey respondents were asked about their attitudes towards appropriate ages for marriage according to the law and to the Quran, and answers diverged significantly, as shown in Figure 21 below.

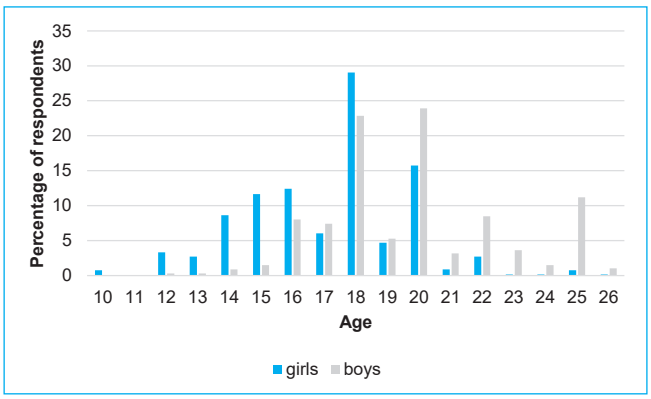


Figure 21. Percentage of household respondents agreeing on the youngest age boys and girls should marry. (N=661)

18 and 20 years old are the most reported responses when respondents were asked what is the youngest acceptable age for boys and girls to marry, showing an alignment between perceptions and the law to some extent. That said, more than 45% of respondents reported 17 or below as the minimum age for girls to marry, with extreme values going down to 9 years old. There is generally a distinction made between boys and girls, with more than 80% of respondents reporting an age of 18 or more as the youngest age boys should marry.

Although 18 years old and 20 years old are the most common answers, the perception for almost half of the respondents that girls can marry before 18 is in line with the low levels of awareness on legal and religious frameworks previously identified, as most justified their answers saying they were based on the Quran or the law in relation to the youngest age appropriate for marriage.

Key findings in regards to understandings of age as shown in Figure 21 include that:

- Trends were fairly similar across location type;
- Female respondents tended to report younger ages as suitable for both boys and girls more often than male respondents;
- There was little difference depending on level of education, income or indebtedness
- Perception of the youngest age a girl should marry did not appear to change based on whether or not the household has members who were married as children

This final point in particular further demonstrates that practices and perceptions are not necessarily linked in relation to child marriage.

Reported perceptions on the oldest age girls and boys should marry

The oldest age boys and girls should marry, in comparison, was more spread out than for the younger age (see Figure 21 above).

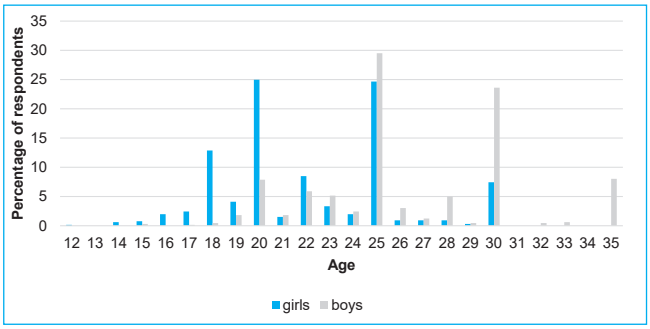


Figure 22. Percentage of household respondents agreeing on the oldest age boys and girls should marry. (N=661)

The same discrepancy than for the youngest age of marriage was identified between boys and girls as reported in Figure 22. The most common answers for the maximum age at which girls should marry were 20 and 25 years old, and 25 and 30 for boys. In a similar trend, 90% of the respondents think that 25 or younger is the maximum age at which girls should marry, while less than half of respondents think the same for boys. To explain this difference most respondents were more likely to say because any older is "not good" for the girl.

It is also important to note that, in extreme cases, respondents answered that boys could marry up until 65 years of age, suggesting that there is no real limit for boys – and perhaps also suggestive of practices of later polygamous marriage for men, a topic unexplored by this report. In contrast, extreme values were much less widespread for girls, perhaps indicating that the majority of respondents are in agreement on the fact that there is indeed a "maximum" age for girls to be married.

In the context of rural Afghanistan, where illiteracy is high, external observers should keep in mind that ages are not always precisely known by individuals and their families. The answers reported above should then be read with some precaution – even more so because, as this report will go on to detail, often other indicators than age are used to judge 'readiness' or appropriate age for marriage. This decision-making process will be analysed extensively in Section 4.

It was very common in the qualitative research, particularly for women, for respondents to say that they would never marry their daughters too young, or that they themselves did not want to marry too young, and for some respondents to even cite quite high ages for marriage, suggesting that children should go to school before being married. However, again, these reported attitudes do not necessarily translate to practice.

"I will never marry my children underage. I want my children to marry at the legal age. I will let them complete school first. Then my children will have the choice to get married according to their own desires. But, in our community people are not thinking about their children."(Case Study - Married Female Aged 17 – Rural Bamyan)

"I haven't married yet because I haven't reached legal age. I think the legal age for girls to get married is 20 and for boys 25. In our community people are trying to not marry their daughters at a young age. But after age of 17, girls are getting married in our community." (Case study – Female Aged 17 – Bamyan)

These diverse ranges of understandings of legal or appropriate age for marriage were confirmed throughout the qualitative research. The following quotes are all from the same focus group discussion for men in Kandahar and they illustrate just how varied attitudes on this front can be:

"It is the natural age to get married - boys 22 years, girls 15 - in Kandahar. We usually select these ages because of a sound mind and youthfulness. They can make each other happy."

"In our family and society, the marriage age for girls is 15 and for boys is 18. We choose these ages because both can satisfy each other well and boys graduate from school. If the age goes high especially for girls, then they not treated politely by the society. They will say if she was good and had good character, she might not be sitting at home at this age, and it's the same in case of boys."

"In our community the age of boys should be 20 and girls 16 because they can support each other very well."

"If we see about 60% people get marry their daughters at age of 12 or 13, therefore most of the girls run away from their parents' house, it's all because of these wrong customs. And 40% people wed their girls at age of 15 or 16."

"People usually marry their daughters at the age of 18 and boys at 20 in our society."

Figure 23. Selected quotes on marriageable age - male FGD Kandahar

Moreover, they continue to demonstrate how different understandings of childhood inform child marriage practices and treatment of children in general. The move from child to adult has cultural connotations in almost every culture, and this wide range of responses may stem in part from less

concrete understandings of the 'age of majority' or less-well defined understandings of the barrier between childhood and adulthood. For example, one community wakil firmly stated that child marriage was not supported by his community, including himself, and if anyone did it was only the parents because they might benefit.

"In our community, there is no one who clearly supports child marriages and if there is then it is only the parents. We cannot do anything to stop it because it is their parents' choice."(CLI – Community Wakil – Kandahar)

However, the same community wakil also completely supported marriage once a child reaches 15 years old, suggesting that around this age the transition to puberty makes marriage necessary:

"The legal age for marriage should be 15 for boys and 14 for girls because that is how the law says. In order to avoid boys and girls from doing anything unlawful if they stay single for longer, it is better to get them married at the ages of 14 and 15. As soon as they hit puberty, they should get married."(CLI – Community Wakil – Kandahar)

"Islam says that a girl or a boy should get married as soon as they hit puberty. A girl reaches puberty at the ages of 13 to 14 and therefore the marriage age has been set to 15 years of age. It is good for the community if boys and girls get married at this age. It is also good for boys and girls."(CLI – Community Wakil – Kandahar)

Similarly, others reported understandings of childhood that are different to those used in Western or international legal frameworks and indeed in Afghan national law.

"In our community mullahs are the main supporter of child marriage. They say that when girls reach puberty they should be married. They think it is a big sin according Islam to keep your daughters and girls at age of 15, 16 or 17 are not children according to the mullahs. They say that at this age they are old enough that they are well aware of life and we can't call them children."(FGD Women Badghis)

This provides an important potential foundation for future work in child marriage – while people may know the impacts of child marriage, they rarely know the law or understand religious perspectives on the issue, and may be influenced by, or indeed hold similar, views on childhood that are acting as conceptual barriers to changing practice.

Frameworks informing consent and decision-making

Generally, household respondents agreed that brides and groom ought to have a say in marriage decision-making, but 12% (for boys) and 17% (for girls) said that this was not required as it was the parents' responsibility to choose – highlighting the role of families in decision-making and also the onus placed on families to marry their children 'well'.

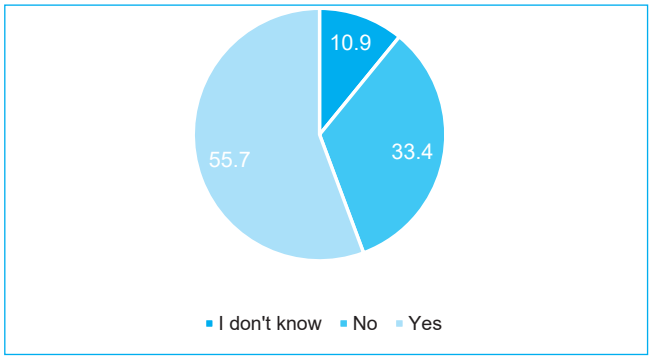


Figure 24. Q. Does a bride / groom need to agree to a marriage for it to be legal? (Respondents include all households, N=661)

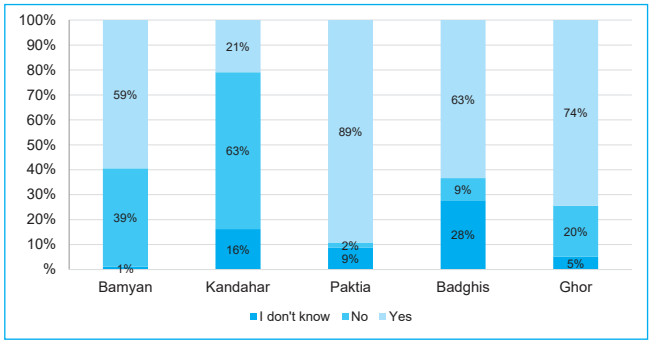


Figure 25. Provincial data for Q. Does a bride / groom need to agree to a marriage for it to be legal? (Respondents include all households, N=661)

Overall, 55% of respondents said a marriage had to be undertaken with the bride or groom's agreement to be legal, but 35% said it did not. These divergent beliefs also came out in practice in the qualitative research, as some participants reported having a say of some kind in the decision-making process regarding their marriage while others stated that the decision was taken by their father, or another male household member, and that they were not involved.

Degrees of agency for children within the decision-making process are clearly influenced by individual family dynamics, as well as a range of external factors, and this report will explore this process further in Section 4.

Traditional practices like badal and baad are divisive

Opinions on traditional practices and their legality, varied – most agreed that baad was not legal (88%), but badal was more acceptable. 63% said badal was illegal, while 30% said it was legal. Most also believed that dowries or mahr were legal, though often with qualifications in terms of who received them and how high the price.

"Baad marriages are bad as its name implies." (FGD Male Ghor)

Baad was generally held to be particularly harmful due to the potential (and often very real) repercussions for the child who was given to a family to pay a debt.

"Baad marriage is illegal and prohibited in Islam. They face abuse, they are threatened and treated poorly [misbehaved] for the killed person. Sometimes, girls commit suicide because they prefer death to life."(FGD – Urban Women, Paktia)

Badal was seen as having the potential for similar problems to baad in that families who exchange children can end up having grievances taken out on the other couple. For example, a couple whose husband angers the wife leading her brother or cousin in the other pairing to then take this grievance out on his own wife.

"I lost my first child during my first pregnancy and this condition has influenced on my morale so much and has had its negative effects and from one side, I was myself a child and from other side, I had lost my child and also from another side, I was blamed and cursed by my husband's family and they said that; 'Our daughter has born a child for your brother, but you could not bear a living and healthy child to this world'." (Female FGD Semi-urban Bamyan)

"Badal is not good because if one couple has troubles that end in violence then the other man would beat up his wife, even if there are no problems between them, just to take revenge of his sister. He would tell his wife that her brother beat up his sister so he would beat her up too. This creates a big problem between the couple." (Community Leader Interview – Head of District Council – Kandahar)

The appeal – and acceptability – of badal quite clearly stems from its neat circumvention of the cost of paying a bride price.

"And badal can be in some ways good because since people of this community have financial problems they give their girls in badal so that it could financially help them, because they will bring in exchange other girl without any cost to their house." (FGD Rural Women Ghor)

Most did not offer opinions on dowries, and respondents generally felt they should be paid and should go to girls, though strong opinions on this were rarer in comparison to the other practices and few really spoke out to say that girls must receive it. Bride prices, in comparison, were a source of consternation for many participants. Most, if they supported them, said they were acceptable, but not if they were too high. The challenge that these extremely high bride prices pose for families and young men economically was very clear.

B. Varied and contradictory attitudes and practices: community-level influence in decision making

While at the individual level, reported opposition to child marriage is common, there is often an understanding that communities allow or support it.

A significant portion of the respondents reported, in both the quantitative survey and the qualitative work, that they either did not support child marriage or had reservations due to its impacts (see Figure 21 for example). It was also common, however, for respondents to report that the community supported it though they personally did not, or that the community allowed it as a necessity.

Divergent individual opinions on child marriage

While most respondents seem to think that child marriage is at least problematic, if not harmful or a 'necessary evil', certain forms of support for child marriage were still reported throughout the survey. The entire population cannot thus be characterised as anti-child marriage in terms of attitude or practice.

"In my point of view, child marriage also has many positive impacts such as living together with their parents and supporting them."

"I consider child marriage in my community positively. It is good according to Islam as well, it prevents children from committing sin."

said 21 year old woman from Kandahar.

Figure 26. Selected quotes on attitudes to child marriage - female FGD Kandahar

Opposition to child marriage particularly highlighted traditional practices that they can see impact families negatively – baad was very unpopular, and badal was generally held to be problematic if allowable, while

marriage-related costs, like bride prices and dowries, were understood to be creating serious economic issues.

Personal opposition but not active prevention – an apparent contradiction

While many respondents condemned child marriage, deeming it as both morally wrong and resulting in negative impacts on children, child marriage is still common and remains a question to address in Afghanistan.

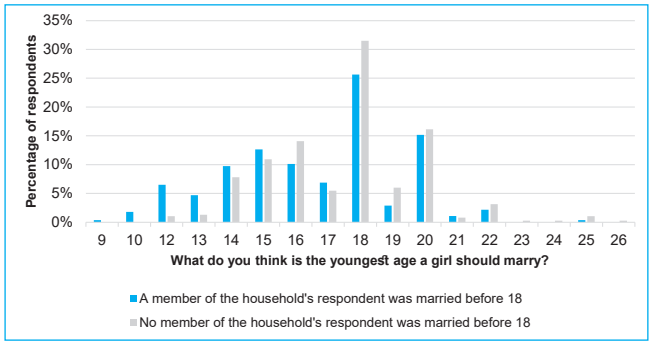


Figure 27. Practices vs. Perceptions: Are respondents less willing to wed girls in their family at a younger age if a member of their household experienced child marriage (i.e. was married before 18)? (Respondents include all households, N=661)

Figure 27 demonstrates this paradox – respondents reporting that the youngest a girl should marry is 18 were nearly as likely to have a girl in their household married underage than those giving younger acceptable ages for marriage. Some family members, of course, may oppose the marriage of their relatives under 18, sometimes to no avail. However, this shows that at the household level, decisions made around child marriage are not necessarily linked to their idea of the ideal or appropriate youngest age for marriage.

Indeed, there is a significant divide between how individuals perceive child marriage and report their opinions, and how they described decision-making processes around child marriage. More than at the individual level, then, it seems likely the right unit to understand decision-making in child marriage is the household as a whole, and that decisions taken in the household are not always taken according to the same moral and legal norms that prevail when individuals speak for themselves on child marriage, or at least, that other considerations are given more weight. The findings that many thought children should have a voice in decisions around their marriage, but not necessarily be allowed to make the final decision, and that many household members are involved in the decision-making process, also reflect this.

These competing understandings of morality and justice in terms of the rights of the individual versus the good of the household and the community in the Afghan context mean that reportedly high levels of personal opposition to child marriage may be no guarantee of personal or broader community action to end child marriage – an important finding in regards to effective programming design. As long as there may be real or perceived benefits to the household, family or community from girls and boys under 18 being married – whether those benefits are in regards to safety in contexts of conflict and displacement, the preservation of individual or family honour, economic pressures or any other factor – then the practice of child marriage is likely to continue.

As such, this range of other drivers can lead to a decision to marry children despite personal opposition. This contradiction must be understood in the context of competing legal orders at play, including customary law, national and international law (see Section 1C for further discussion of concepts of justice and relevant frameworks) and to the comparative legitimacy or power of these different orders for decision makers in the specific cultural and geographical context where the decision is taken.

Perceptions of community support or opposition

It is very likely, particularly in the Afghan context, that social norms as communicated by communities as a whole play a significant role in shaping child marriage practices. Additional analysis suggested that, as isolated from income, perceived or reported community support (or conversely, disapproval) was a strong driver of child marriage practice.[59]

However, much as it is at the individual level, perceptions of community support varied, being fairly evenly split between respondents thinking that their communities supported child marriage, that their communities think it is necessary but not good, or that their communities actively try to limit it.

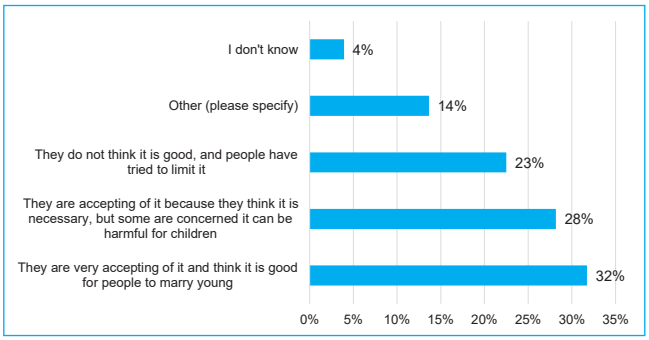


Figure 28. What are the general attitudes in your community towards child marriage? (Respondents include all households, N=661)

59 Mokammel, M. 2017. (Masters Thesis) Understanding Child Marriage as a Coping Strategy - Knowledge, Attitudes & Practices in Afghanistan. Maastricht University – UNU-MERIT.

This fairly even spread of responses, though, may suggest that what people understand to be their community's stance on the issue is not only possibly at odds with their own beliefs, but also not necessarily correct or particularly nuanced. Communities or households that do not have a high degree of engagement or discussion on these topics – whether through local arbitration or justice systems, programming by government or non-government actors, or simply at the individual family or household level – may also be unaware of, or incorrect about, the views that their neighbours or community members hold, particularly when the continuation of the practice sends the message of tacit approval.

> "Sometimes the mullahs and parents stand against it, but they have to still do it and their stance is therefore not very strong. It is not strong enough to have a positive impact in the community." (CLI – Head of District Council – Kandahar)

Based on both the qualitative and quantitative research, it seems apparent that social norms are being resisted or adapted in some contexts by both individuals and communities, despite the ongoing prevalence of child marriage practices. However, translating individual opposition, or pockets of opposition within communities, into active opposition or debate may be one of the greater challenges in this space. This debate or opposition is needed to convey to families and decision makers that changes in social norms on child marriage have occurred, and to begin to change more broadly social norms on child marriage.

Positive attitudes towards, but little knowledge of, child marriage programming

Moreover, there are positive attitudes to programming in the child marriage space where there was knowledge of it, but few individuals in case studies or focus group discussions were aware of any work done to reduce child marriage in their community. This echoes the findings outlined in Section 3.A above and further suggests that the space for changing norms on child marriage does exist, and that people may be generally receptive to programming in this area, despite past efforts that may not have addressed underlying drivers or had sufficient reach to be seriously effective. Even with existing programming, some effect has been felt: communities indicating the highest levels of programming (or knowledge thereof) also displayed lower acceptance for child marriage.[60]

The influence of paradigms understanding child marriage as protecting girls from social harm

60 Mokammel, M. 2017. (Masters Thesis) Understanding Child Marriage as a Coping Strategy - Knowledge, Attitudes & Practices in Afghanistan. Maastricht University – UNU-MERIT.

As noted earlier, respondents highlighted some perceived positive impacts to child marriage. For example, many reported that they would be safer in their new homes, girls in particular. This suggests the continued existence of a strong 'protectionist' norm, particularly in relation to girls.

"I will marry my children at puberty because it will be the perfect time for marriage, and this can help both boys and girls to not look at anyone else because they will get busy with their own life and children and there will be no rape." (Case Study – Married Male Age 26 - Ghor)

In some areas, social norms and customary laws that inform them and govern them play a stronger role in traditional and collective decision-making than civil or national law. These customary laws, deemed legitimate by the actors who enforce them, can legitimise child marriage and contradict individual preferences, showing an important dichotomy between the individual as a relative to the groom or bride, and the individual as a decision-maker who is part of the community and the household. This is especially relevant in terms of protectionist motivations for child marriage, given the relationship between the honour of girls and their value as brides.

C. Trends in prevalence and practice

This study was not longitudinal, and thus cannot provide findings on historical change - however, previous work can be drawn upon and perceived changes identified. Recent figures on child marriage in Afghanistan suggest some reduction in the practice,[61] though our findings across provinces suggested higher rates than the most recent statistics reflect.

Respondent opinion on this front was mixed – some people felt that the situation had improved and that child marriage was being reduced as modernising or external influences, such as television or international organisations, impacted communities, while others reported no change.

Changes that were mentioned by respondents in qualitative research in particular suggested a perceived reduction in, or at least a growing recognition of, the prevalence of child marriage and of attitudes towards the practice. Many said that they felt that there was less child marriage now, or that their communities did not approve of it as easily or readily – that there was more resistance to the idea than in the past. The influence of media and of human rights rhetoric was also mentioned as a factor by respondents in terms of changing attitudes. Additionally, the strength of cited opposition to baad in particular, and badal to a lesser degree, as well the

identification of the problems of bride prices, suggest that there may have been changes in attitudes in terms of what are considered harmful traditional practices, or at least, that the space to express opposition to these practices has increased on a national and community level.

However, it is in no way certain that there has been a significant reduction in child marriage practice and the influence of social norms on decision-making clearly remains strong. The highly economic and transactional nature of marriage, contributing to the economic impetus for child marriage, remains apparent in the Afghan context. Similarly, the influence of tribal codes that value women as representations of family honour and that encourage 'protectionist' norms that see young girls married to ensure their good reputations are strong.

Continued strict gender roles increase the vulnerability of girls to child marriage in particular, but also impact young men who are married early and given the responsibility to raise funds for marriage while supporting a family at a young age.

There is a clear need to actively address child marriage programmatically and legally in order to protect the rights of an entire generation of children who are currently at risk.

The following sections explore the importance of decision-making in this space in order to increase understanding of how child marriage occurs in the Afghan context and thus inform future programming and policy, as outlined in the final recommendations in Section 5.

Section 4. Many factors, limited agency: a model of how decisions on child marriage are made

Child marriage is often depicted as the result of an overwhelming influence of social and cultural structures or the isolated choice of omnipotent and uncaring heads of households. While there is a strong patriarchal element to the practice, these explanations are in some ways misleading. They fail to include the diverse range of actors who may influence decision-making and more importantly, to represent the degree to which these individuals may in fact be constrained in their decision-making.

Decision-making regarding child marriage involves conflicting and intergenerational relationships between key actors, such as family members, trusted voices like doctors and mullahs and the children – potential brides and grooms – themselves. Yet while the primary layer of decision-making rests firmly within the family structure, it is also influenced and shaped by economic, social and security pressures that shape perceived available options. This research suggests that, more than the opinions of any particular individual within a community or household, widely-held perceptions of security, economic situations and the pressures of maintaining social and community networks constrain choices about marriage.

Key findings presented in this section are that:

- Families, and male family members in particular, are key decision-makers, with fathers reported in the majority of cases as the final or key decision-maker;
- Potential brides and grooms have some, but not a final, say in the process;
- Actors outside the family or household influence rather than decide;
- Drivers of child marriage are various, interrelated, and often structural;
- Child marriage can occur even when attitudes to child marriage in the household are negative and even when some drivers are not present or have already been addressed;
- Preventing or addressing child marriage will require developing programmes and solutions that acknowledge and address complex and interconnected drivers, and the role of multiple actors in collective decision-making processes.

This section looks at the two critical elements of these findings as:

1. The individuals, families and communities involved, and;
2. The external factors imposed by the context they operate in that shape their actions and decisions.

A. Decision-makers and influencers on child marriage

Key to understanding the decision-making process that leads to child marriage are the people who are involved. This includes not only the individuals who are directly impacted – child brides and grooms – but their families and the people in their communities who can influence their thinking and their actions.

The central role of family in decision-making

While there are other influencers regarding child marriage practices, the key decision-making process takes place within the family with possible input from a range of actors – male family members, older female family members, siblings and the bride or groom themselves.

However, while technically the decision-making process is made within the family unit, the degree of agency that these actors feel they have in making this decision varies widely. External factors play an important role in influencing decisions and can greatly restrain the options decision-makers may feel they have to choose from. This may take the form of a marriage proposal from an important community member that social norms and community ties would dictate should not be refused, or simple economic calculus, where a family feels they cannot support all their children adequately.

Household decision-making is dominated by male family members

Family is the main arena of discussion and decision-making for child marriage. When asked who the key decision-maker was on marriages that had occurred in the household, the majority of respondents – filtered by those who had reported instances of child marriage within the household – reported fathers holding this role.

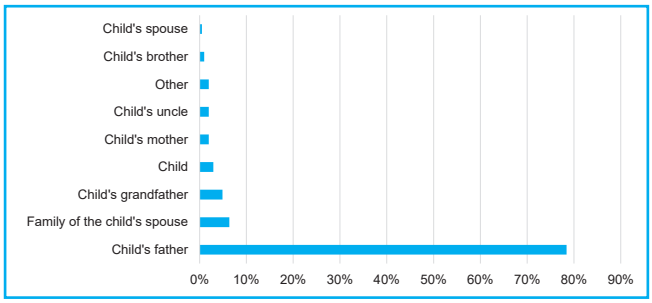


Figure 29. Q. Who was the primary person who made the decision for these marriages? (Respondents are individuals under 28 and who were married before 18 in the households, N=204)

The distribution of answers is homogeneous across the provinces and follows the trend highlighted above, except in the case of Bamyan, where the family of the child's spouse was reported to have quite an important influence (22%). The child, their grandfather and their uncle have a certain influence as well. The distributions did not change with the gender of the respondent or the type of location.

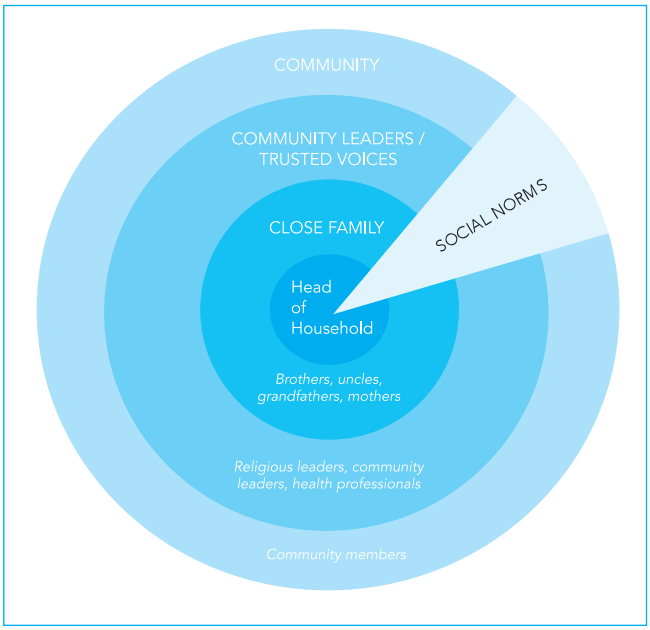


Figure 30. Decision-making Influencers[62]

Though fathers were overwhelmingly identified as making the final decision on marriage, uncles, brothers and grandfathers were generally reported as the loudest voices against child marriage in families where an individual had opposed child marriage. This further highlights that decision-making centres on male family members, while also, contesting the narrative that male household members may be more supportive of child marriage. While fathers, or male heads of household more generally, are at the centre of the decision-making process, there are layers of influence upon the decision-maker including many other actors, as such – the process is likely to be a collective one.

There is also an important role for women in influencing decision-making. Qualitative research in particular highlighted that women are often involved in facilitating, vetting and organising marriages, though this may be with the ultimate approval of male family members. Women may have varying degrees of involvement; previous research on gender roles in decision-making for marriage found that, while women may not make the final decision, many households would see that they had an important role. Family politics, structure, and generational differences influence how this process occurs in any particular household.[63] However, women are not likely to have a say in the decision-making process by default. Rather, their role is dynamic and based on individual families, unlike that of the father in the decision-making process, which both qualitative and quantitative research underlines as central and primary.

It is also important to remember that the involvement of female household members in marriage decisions may not necessarily improve outcomes. Women may be constrained by the same economic and social pressures as men, who typically take the lead in this decision-making. Key informant interviews and other qualitative work in this study suggested that women also play a role in perpetuating the practice of child marriage.

A limited voice for most brides and grooms

The majority of respondents reported children had some input in cases of child marriage[64] and that it was not uncommon for participants in the qualitative research to confirm some degree of child involvement in the decision-making process. However, it is more likely that they will have a voice in the discussion, or the ability to influence how it takes place, than it is that they will be allowed to make the final decision on their marriage: they are constrained by family roles, economic pressures, their own ability to negotiate, and external political and social drivers – the same factors which may also impact male family members and the ultimate decision-makers.

"In my opinion, it is important to ask for the girl's consent on whether she accepts the marriage or not. It is common in our family to ask for the girl's idea. In this village, most people are asking for girl's ideas for the purpose of making their marriage decision. If the girl agrees, then the marriage ceremony happens. If the girl rejects [the marriage], nothing happens." (Case study – Female Aged 15, Bamyan)

Across the board, attitudes were clear that children should, in fact, have some say in this decision. For both boys and girls, over 70% of household survey respondents said children should have a say, although not necessarily a final one, in whom, and when, they

would marry. This response was higher for boys than for girls and a slightly higher proportion answered that girls should not have a say than boys.

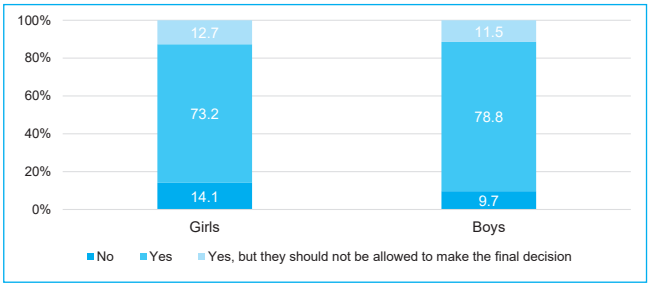


Figure 31. Q. Do you think that girls and boys should have a say in who, and when they will marry? (Respondents are all households, N=661)

This again belies simpler understandings of child marriage decision-making, suggesting that many families do indeed understand or feel that marriage should involve consent from potential brides and grooms. There was, however, a very clear divide on the justification for either involving or not involving children in the decision-making process. For both boys and girls, respondents who said children should not be involved reported that it was because it was the parent's responsibility to choose, while those who said they should have a say primarily answered that it was because children had a right to choose.[65]

Key influencers on child marriage in communities are religious leaders and health professionals

People were most likely to suggest doctors or mullahs as trusted voices – in both the qualitative and quantitative research, health professionals and religious leaders were cited as people whose opinions would be taken into consideration for decision-making on marriage.

In terms of influence, however, many also reported that the opinions of their own family members were the most important. This is very interesting to consider because a common feature of the qualitative research, particularly in key informant interviews and community leader interviews, was for relevant actors and experts to suggest working with, winning over, or tapping into mullahs as part of changing community attitudes and raising awareness.

The findings of this study suggest that doctors may be an equally if not more powerful voice, given the high levels of awareness on the severe health impacts potentially resulting from child marriage. Moreover, it suggests that these external actors are indeed 'trusted voices' or 'expert counsel', rather than final decision makers or ultimate judges of appropriate behaviour.

Communities can provide important support to families in the decision-making process and trusted community members' opinions can influence their decisions either positively or negatively, and they can act as advocates for preventing child marriage or mitigating its impacts.

B. Key factors and drivers – social, cultural, economic and legal

Decision-making on the marriage of children is constrained in a number of ways. These include not only the social norms outlined and discussed in various sections of this report, but economic drivers, familial and community networks, competing legal orders and both safety and security concerns. The degree of influence these factors have – and a family's ability to circumvent or overcome them – is very much dependent on the combination of factors at play within each family or community. A family feeling less economic pressure, but with strong local networks, may make decisions on marriage for different reasons than a poor or displaced family, for example.

Understanding child marriage requires acknowledging that most decisions in this area involve pressure or restricted agency, not only for the bride or groom, but for the family's decision makers.

This following section will look at these in two groups – the more abstract, but extremely relevant, social norms around marriage, women and honour that deeply impact child marriage, and the more practical drivers like perceived economic challenges or competing legal orders, though it should be noted that these do often overlap and are interconnected.

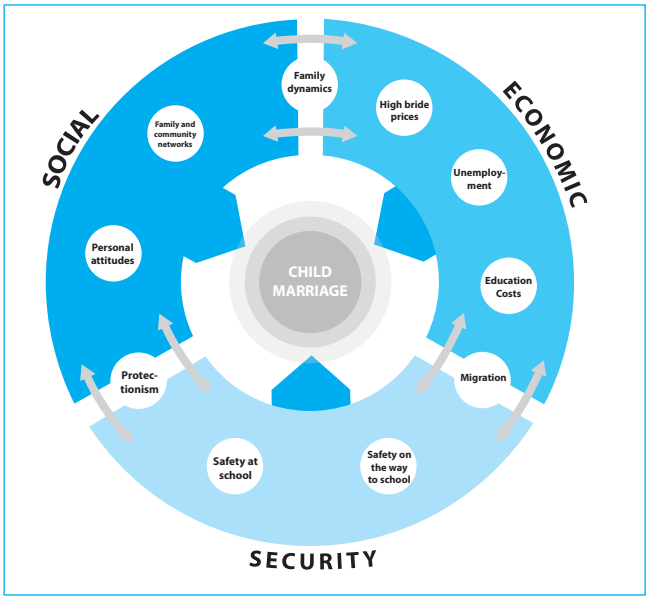


Figure 32. Interconnected Drivers of Child Marriage

Social norms and the pressure to conform

The role of the ever-present 'they' or 'people' who might 'talk' also came out very strongly in the qualitative – there was a clear need to conform for the safety or reputation of both girls and families to the understood norms around marriage, or to pressure from community members, as articulated in many cases.

Norms on marriage practices are reasonably clear and have been previously researched in this and other similar contexts. Marriage is largely considered to be the default option for all – not marrying is rarely considered an option – and it is a social and religious imperative, one reflected in this research by the reports that families will marry girls at a young age for fear of not receiving another proposal. Marriage at a younger age, particularly for girls, avoids risk of compromised honour or harm to a girl's reputation before marriage and thereby, risk to her ability to marry. Once within a marriage, gender roles are strict: girls are homemakers, carers and child-bearers, and are expected to fill these roles within the household even to the detriment of their health. Conversely, men are expected provide for families even though economic factors may sometimes subvert this role. The safety of girls from not only physical attack, but also public censure, and tapping into norms regarding the protection of girls and honour were very often cited as positive impacts of child marriage by respondents.

"In our society people think good girls get married at 18. They say this is a good time. Even if they get married under age 15 it doesn't matter, they think this is the role of life, they think about the girl's modesty and dignity." (Case Study – Married Female Aged 30, Kandahar)

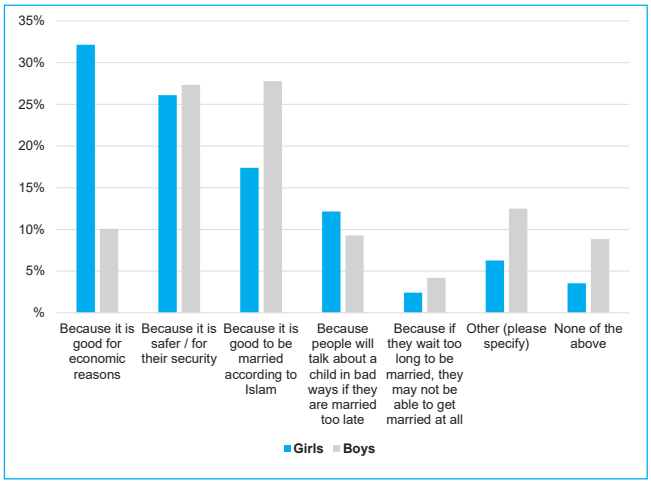


Figure 33. Q. For what reasons girls and boys should be married before 18? (Respondents are all households, N=661)

Grappling with this gap between personal attitudes and the continuance of child marriage practices, whether due to adherence to social norms or for the preservation of social order, is a key element in understanding how child marriage occurs. As a recent report on marriage practices noted:

"The personal opinions of individuals — both women and men — were often more constructive, egalitarian and forward-looking than the cultural norms and practices of the communities in which they live. This divergence between cultural norms and personal desires shows that the practices adopted by individuals and communities are open to discussion and that there is a readiness for change, at least among some members of the communities."[66]

While the former is very much in line with the findings of this report, it does not necessarily follow that this divergence shows a readiness for change. Indeed, work on social norms conducted by UNICEF has suggested that, as confirmed by this report, personal attitudes and social norms are functionally different and not always internally aligned, with evidence growing that "more supports the view that attitude and norm are distinct entities. For example, it has been shown that some behaviours are more influenced by personal attitude, and other behaviours more influenced by social norm."[67]

Even more tellingly, this same UNICEF research suggests – based on a variety of recent studies – that "cultural consensus of a group is more a matter of what its members believe that others in the group believe than a matter of one's personal attitude towards items in the cultural consensus."[68] Past research on the topic of gender and justice in Afghanistan had similar findings, suggesting that individual attitudes to a given issue did not necessarily translate to action and that, moreover, individuals were capable of having different mental frameworks relating to the same topic – for example, believing that women have rights, but also supporting traditional justice systems that are biased against women.[69]

"Protectionism", honour and justice systems

The qualitative research repeatedly highlighted, as noted earlier, that pressure from other community members was often a key factor in the decision to marry children.[70] This demonstrates how the pressure for families to preserve the honour of girls can lead to perverse outcomes, where a harmful yet socially or religiously sanctioned marriage can be considered more safe than the risk of being unmarried and vulnerable to threats to that honour. This pressure has often been examined in relation to child marriage, and has particular impetus in insecure contexts.[71] Such protectionism was often reported in the qualitative research. It usually involves restricting women's

mobility, access to social or economic spheres, and other kinds of control in the name of safety, and it is strongly linked to controlling the behaviour of women to ensure that they cannot be construed to have damaged family honour.

"The decision of my marriage was made by my father. It is our tradition that the parents decide their children's marriage and they decide who to give their daughter to and whom not to. My father said it was his nephew and he could not upset his sister and therefore I had to marry him. I did not have any say in this decision and I was not happy with it. My husband already had an older wife and his economic situation was not very good. He is also older than I am. I always cried when I was by myself and wished the marriage never took place but it did and I have a bad life now." (Case study – Married Female Age 16 Kandahar)

It also was common to hear that concerns regarding the possibility of girls getting into trouble of some kind – getting 'boyfriends' or similar – during teenage years was a driver for marrying children and preserving their reputations or 'value'.

"My father made the decision of my marriage because people in our community think if girls grow up, they flee from home and it is a dishonour for the family. In their mind, it is better to marry the girls as soon as possible to maintain the prestige of the family. In my father and father-in-law's communities' girls are not attending school, they always have limitations, and stay at home. When they have access to freedom, they flee with someone. This issue has meant that the families decide to marry their daughters underage." (Case Study – Married Female Age 17 – Bamyan)

These understandings provide yet another impetus for girls in particular to be married at a young age and acts as a constraint upon decision-making for households: waiting to marry a daughter not only risks community censure, but also poses a threat of perceived physical harm or reputational harm that may leave a child unable to be married.

The prevalence and power of relevant justice systems – both state and informal - over communities is particularly important to consider because, as this report shows, perceptions of community attitudes and social norms have a strong degree of impact on decisions around marriage. These have been shown to be not only often at odds with each other in terms of approach and underlying values, but often also particularly unhelpful or even harmful for women who may participate in them.[72] If those perceptions and norms regarding child marriage are primarily influenced by informal justice systems, which are often biased against women and are conservative, inflexible or male-oriented and controlled, then they will likely perpetuate, rather than address, child marriage and will maintain or widen the gap between personal attitudes and social norms.

This once more demonstrates the complexity of the issue of child marriage and the intricate web of factors that may lead to child marriage in the Afghan context – it also highlights that addressing single or individual drivers is likely to be ineffective. For example, a family who may resist the economic impetus to marry a girl as a child can still be susceptible to the protectionist norms outlined here.

Real and perceived economic drivers

Many people reported economic factors as a key reason they had chosen to engage in child marriage or why family members had been married as children – 30% of those who had children who were married said that they had married them due to economic pressure, citing concerns regarding safety and social pressure, though economic pressures were the most common first answer or primary concern.

However, as noted earlier, income and indebtedness had no correlation to child marriage in the household, despite many citing debt or lack of resources. This confirms that when economic pressures are a factor, they are likely not the sole factor in decision-making. That being said, this lack of clear correlation does not mean that economics does not directly impact decisions around child marriage. Poverty is an ongoing challenge in Afghanistan across the board. This means that the economic situation and the uncertainty that it may cause many families to feel, even those who are relatively better off, can still be a factor in decision-making.

C. Modelling decision-making on child marriage

As this report has identified, there are a range of interrelated factors that are used as justification for child marriage or for restricting the choices available to families and children who want to avoid child marriages. These include social norms, competing justice systems, personal attitudes, family dynamics, social and community networks and pressures, economic challenges and security concerns among others which are not a focus of this report, such as migration or displacement.

Many of these factors are connected and impact each other in ways that mean addressing only one of these issues is unlikely to result in any significant impact on child marriage practices. Family dynamics and community attitudes, for example, are likely to be related, as are security and economic concerns, both of which can in turn influence community attitudes and

prevalent social norms for either better or worse.

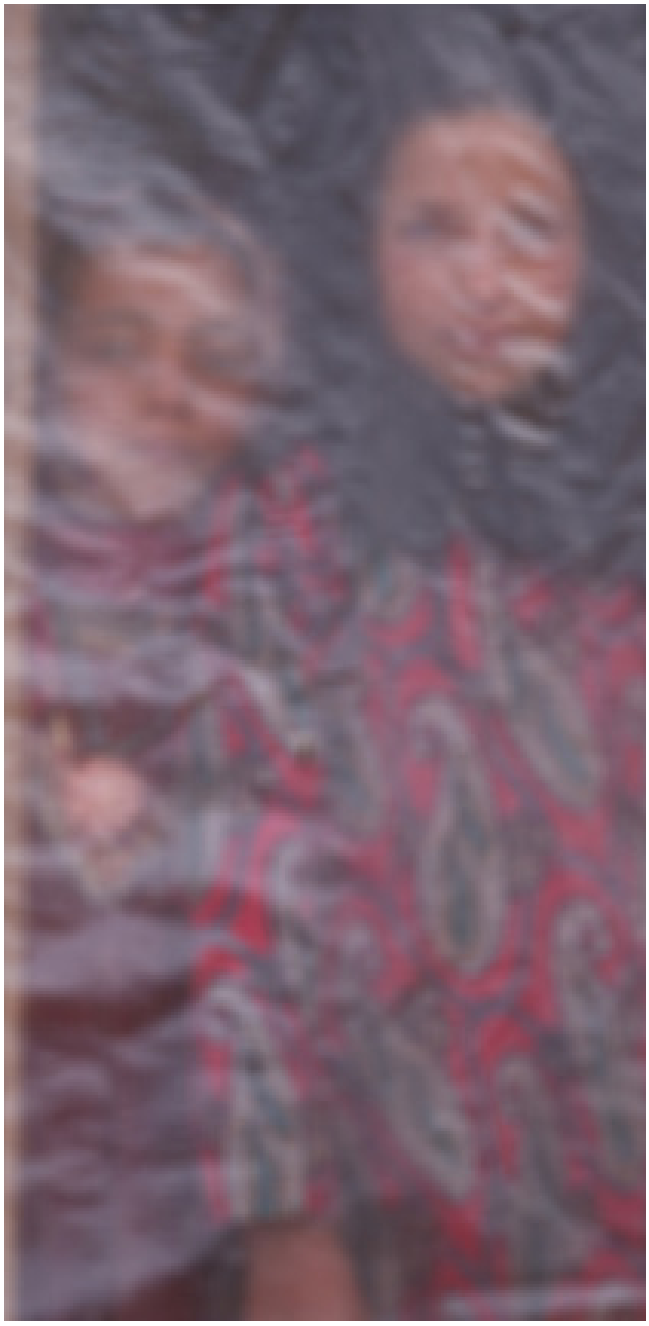
Additionally, the absence or elimination of one of these factors does not preclude the presence of others. For example, a family may allow children a significant degree of involvement in a marriage decision, but ultimately choose to marry a child due to pressure from the extended family, or alternatively, may be economically secure enough to not feel the need to marry a child early, but marry a child early due to security concerns or perceived threats to a girls' honour.[73] This highlights the degree to which structural factors are overriding the agency of decision-makers in marriage decision-making. The decision-making process in marriage, generally, cannot be considered as simplistic as 'forced' versus 'not forced' because this fails to capture the reality of the process. Previous reporting on marriage practices in Afghanistan suggest the same in relation to marriage in general, without a specific focus on child marriage:

"… conceptualising marriages as "forced" or "not forced" is an oversimplification of the way in which many marriages are decided upon. Instead, […] the way people enter into marriages operates along a range from choice to force. While some marriages may fall at one or other of the extreme ends of this range, many others feature elements of both choice and force."[74]

It also illustrates that it is important not to demonise the decision-makers in this context, or to reify their role in the process. It is likely that their engagement in this practice does not occur simply because the negative impacts of, or moral concerns related to, child marriage are not understood or do not impact their attitudes or understandings, but often because there are a variety of other factors at play.

There may indeed by uncaring or nefarious decision-makers, as there are in all contexts, but the vast majority are powerfully bound by context and circumstances despite personal understandings or attitudes of the problematic nature of the practice. This same behaviour was often found in parents and employers in recent research on child labour, who, due to a range of factors, may perpetuate a harmful practice but not necessarily support or condone it in theory.[75]

Section 5: Addressing Impacts & Preventing Child Marriage will thus consider how to effectively address child marriage based on the above. It will not be enough to understand, or seek to combat child marriage, as a simple decision-making process, or to assume that in any given scenario that there is one key driver that leads a family to choose to marry children. Rather, multiple factors that need to be simultaneously addressed in order to comprehensively, and effectively, prevent child marriages. An approach to the problem that targets only one of these elements, groups or issues may work for some populations but it is very unlikely to be broadly effective.



Section 5. Addressing impacts & preventing child marriage: spaces for ambitious and pragmatic approaches

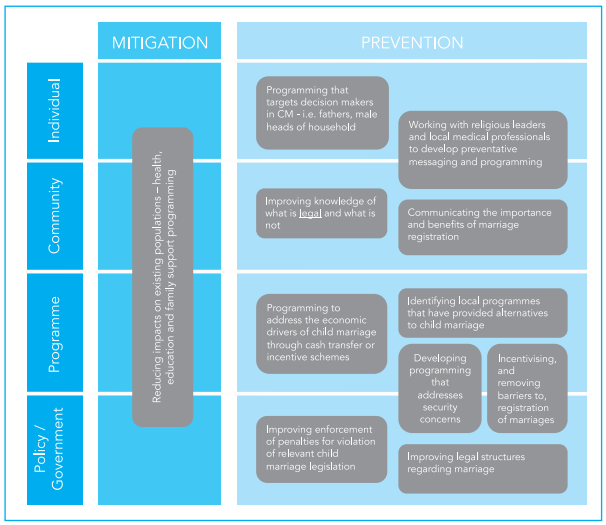


Figure 34. Recommendations for Action

Programming or policy that seeks to address child marriage can very broadly take two approaches – addressing the impacts of child marriage upon individuals, families and communities already harmed by it, or seeking to prevent child marriage by addressing the structural factors that drive it. This section outlines a comprehensive set of recommendations based on recent literature, successful programming in a variety of contexts and the findings of this study to identify opportunities in combatting child marriage as targeted towards different actors or spheres. The recent Afghan National Action Plan on Early and Child Marriage provides a framework that considers actors at different levels[76] – the individual or interpersonal level, the community level, the organisational or programme level, and the policy level. This report will draw upon this to frame recommendations that can be understood in the context of existing work and identified challenges on child marriage in Afghanistan.

A. Recommendations for action on child marriage in Afghanistan

Most interviewees in the qualitative research – across experts, community leaders and those who participated in focus group discussions and case studies – when asked what was needed to address child marriage, recommended awareness raising programmes to improve community knowledge regarding child marriage and its impacts.

"There should be awareness programs about underage marriage, pregnancy, its negative impacts, and becoming a mother and giving birth. My sister faced lots of problem while she gave birth. That is why that my father made the decision of my other sisters to marry at age 18 or above. Also, there should be attention paid to education. If people knew about it, they would never continue this [do such] practice. People's minds [thought] should be changed. This means that awareness should be provided to people and better employment opportunities should be facilitated. In this way people won't practice child marriage because of economic problems. They won't sell their children." (FGD - Rural Women, Ghor)

This report primarily demonstrates that solutions to child marriage, however, are unlikely to lie simply in raising awareness. The findings detailed in previous sections show that, to a large degree, people are aware of at least some of the potential negative impacts of child marriage, though perhaps not of the law that governs it or the wider range of impacts. Moreover, it suggests that the drivers are numerous and interrelated and that as such, programming must address the diverse challenges and solutions while taking into account the multiple factors driving the continued practice of child marriage.

Recommendations are therefore proposed in the following areas:

1. **Reducing impacts on existing populations**
2. **Improving knowledge over raising awareness**
3. **Widening and deepening understanding of child marriage as a phenomenon in Afghanistan**
4. **Coordinating for complementary programming and policy**
5. **Addressing drivers, empowering decision-makers**
6. **Improving legal frameworks in theory and action**

The report will present both short-term and medium to longer-term options for programming. However, by the nature of the research and the problem – that is, a deeply structural challenge – the majority of this report's recommendations fall into the category of longer-term recommendations. Many of these would provide frameworks for beginning work on the issue in the shorter term, and incorporating shorter-term elements that mitigate the impacts of child marriage should be strongly considered as an element of any developed programming or policy. Additionally, these recommendations will identify the levels at which actions can be targeted or taken – by the individual, community, programme, or government – but similarly many of the recommendations made herein will be most appropriate for larger-scale interventions at the governmental or organisational level.

These factors will be indicated for each overarching recommendation as follows:

Horizon	How soon can this be actioned? Note that if a recommendation is denoted as 'short-term', this indicates that it could be actioned quickly, but should also be considered to be possible in the long-term, rather than solely intended to happen over a shorter period. Horizon suggests the timeframe for possible commencement, rather than the length of time it could be actioned over.
Level	At what level will this need to be actioned? Can it be done on a community level by local organisations, or will it require support at the government or national / district level via government agencies, or via international organisations?

Recommendation 1: Reducing impacts on existing populations

Horizon: Short term
Level: Community, programme, government

It is important to remember that while the focus should be on prevention moving forward, there is already a substantial population of people married as children who need support and who are often neglected in efforts to eliminate child marriage. Many efforts addressing the impacts of child marriage appear to occur via other programming, rather than targeted interventions. Moreover, evaluation of efforts to support already-married children in Afghanistan was rarely evident and the success of these programmes in reducing impacts is not clear. Indeed, as noted in a Ford Foundation evaluation: "Married adolescent girls have been a neglected population in the fight to end child marriage and protect children."[77]

The findings of this research highlight several areas for programming to mitigate the impacts of child marriage on the existing population:

In line with successful programming in other parts of the world, health is a clear area to target - for example, giving girls and boys better education on family health, reproduction and family plan.

Family tensions evidenced in some cases of child marriage call for programming around family dispute resolution.

Finally, legal aid – especially to those children lacking civil documentation and registration of their marriages – is necessary to support them in accessing their rights, especially in cases of separation or divorce.

Shifting the approach on child marriage in Afghanistan to make addressing its impacts a priority in and of itself, rather than as part of efforts to address women's health, or general child protection efforts, is a key to ensuring the effectiveness of such programmes.

Recommendation 2: Improving knowledge over raising awareness

Horizon: Short term
Level: Programme, government

This research has shown that while there is certainly awareness of child marriage and its impacts, correct or comprehensive knowledge of laws and the broader range of impacts and costs is poor. Therefore, the focus of programming should not be on communicating that child marriage is harmful, though this understanding should underlie it. Rather, the focus should be on deepening understandings of child marriage – why it is that marriage under 18 has these negative impacts; why 18 is a more appropriate age for marriage than 16 or 15; how many people feel that child marriage is harmful in spite of perceptions that communities support child marriage; and so on.

1. Communicating the importance and benefits of marriage registration

In addition to reducing barriers to registration, there is a need to communicate to families the legal benefits for all parties involved in a marriage should disputes arise or should families wish to claim benefits,

migrate, or undertake other activities requiring legal certification of marriage.

First, as noted in the previous recommendation, this is an important protection for vulnerable girls who may be married without their consent, and who are known to likely experience domestic abuse or other forms of violence.

Second, it is an important opportunity to identify and intervene in child marriages, which is currently not often afforded to legal or protection workers. Requiring marriages to be registered with both parties present will make it easier to design legal interventions around child marriage, improve understanding of prevalence, provide support and impact attitudes, as there is a key point at which child marriages can be identified and potentially prevented outright. Progress on this front can support local and international actors working to provide child protection support across Afghanistan and is in line with the Government of Afghanistan's National Action Plan on Early and Child Marriage in Afghanistan's legal recommendation.

2. Improving knowledge of what is legal and what is not

Improving knowledge of the legality of marriage over or under 18, and of practices such as badal, baad, dowries and bride prices, is a clear need highlighted by the varying range of responses given by participants in this study regarding the legality and appropriateness of these practices.

This research sought to assess any knowledge of the legal frameworks governing child marriage. Respondents were not always wrong – however, particularly in the qualitative research, they often expressed uncertainty. Yet, most respondents also said that the law was a factor in their understanding of when it is acceptable or legal to marry. As such, ensuring that the information that communities and decision-makers have on this front is correct is a vital part of giving people the information they need to develop informed opinions, negotiate within collective decision-making processes, or to potentially change their attitudes.

This could be improved through a variety of methods, including trainings for frontline workers and relevant government agency employees, and at a wider level through television or radio programming, community education, and other similar efforts that, focus not on raising awareness of child marriage in terms of challenges or impacts, but in terms of their own rights and their country's laws.

3. Focus on identifying and changing social norms that support or encourage child marriage

This report has also highlighted that while they are not the sole driver of child marriage practices, social norms continue to impact decision-making and attitudes to child marriage across the country. These personal attitudes can differ and tend to be more negative towards child marriage, unlike social norms which are more heavily influenced by history, tradition and the perceptions of acceptable behaviour in a group as reinforced by justice systems, ongoing practices and social approval or censure.

"To change the independent action of an individual, work to change the personal attitude and behaviour of the individual. To change an action interdependent among members of a group, also work to change the social expectations of enough group members, thereby promoting the coordinated behavioural change among them."[78]

This definition, and this report's findings on the gaps between reported personal attitudes and described social norms or community attitudes, suggests that these social norms must be addressed in order to create a space where personal attitudes, which are more resistant to the idea of child marriage. Specifically, addressing norms not just around marriage may flourish. Specifically, it is important to address not only child marriage, but the value of girls and the importance of child protection as a whole, as these are all elements that shape child marriage. There are a few key strains from social norms that impact child marriage, as this report has illustrated, which need to be explored and challenged in order to reduce or prevent child marriage practices:

Shifting gender norms that apply to girls which value them differently to men, not only as individuals, but as potential contributors to family income, and which cement their role within households. These norms create the space for girls to have decisions made for them, and reduce their agency and economic/social power. Moreover, an important part of shifting these norms must be addressing the ideas of shame and honour that are so closely linked to female sexuality and then separating or unpacking these ideas.

Addressing norms regarding the appropriate age of marriage specifically, in order to create clear frameworks for communities and families. Accurate knowledge of legal ages for marriage, what religious laws might dictate and more broadly, what ages are in fact appropriate for marriage in terms of health, development and other key factors was disparate and weak across our research. Clear frameworks on this front give community not only the knowledge to improve practices, but the necessary framework to

impose social sanctions as a community upon those who violate them.

Focusing on the rights of children to address norms around what is acceptable for children, building on existing awareness in communities of the potentially harmful impacts of child marriage and the benefits of later pregnancies, continued education, and the economic and social empowerment of women.

Changing norms around marriage in general will also be important, ranging from the purely religious, de-coupled from government, understanding of modern marriage to the addressing of challenges, such as high bride prices (which continue to provide economic impetus for marriage), incentivisation, a focus on the issue of consent by brides and grooms, regardless of age, and conversely, penalties around registration of marriage to improve the government's ability to police and penalties child marriage. Which could all be positive contributors to reducing and preventing child marriage which require shifting current norms.

4. Working with religious leaders and local medical professionals to develop preventative messaging and programming

The common suggestion of doctors, and also religious leaders, as trusted voices on the issue of child marriage strongly indicates that working with religious leaders and local medical professionals to develop preventative messaging and programming that is focused on knowledge of legal frameworks, as outlined in previous recommendations, yet including broader understandings of impacts, could be useful and effective.

Respondents strongly indicated that religious leaders had high levels of influence over decisions relating to marriage:

"Giving awareness in communities and villages is the best intervention for children marriage. It should be done through mosques and mullahs, as their speeches have more influence on people."(KII – Afghan Women's Network, Kandahar)

"I have not heard or seen any programming from the government, just meetings and trainings. We have told the government that they have to speak to religious leaders and masjid and the spread the message about child marriages being a harmful practice. People in the districts do not know or care about the law, they just consider the traditions." (KII – AIHRC, Kandahar)

Programming that has tapped into the influence of faith-based networks or religious leaders have been successful in other South Asian contexts, such as India and Nepal.[79]

Participants also often identified in the qualitative research that the opinions of doctors and other medical professionals would be persuasive for them, which fits well with the previously outlined focus on health impacts in terms of knowledge of the harms related to child marriage.

"We have conducted many public health awareness programs to educate people about health problems of mother and baby. Currently, we continually advise people to prevent children marriage at younger age in central public hospital and clinics. We consult local figures and religious preachers to transmit effectively our awareness programs to the public." (KII – Department of Public Health, Kandahar)

5. Training and capacity building for front-line workers from legal, health, NGO and government sectors to ensure they understand the issue and know the frameworks

Even amongst those experts, leaders or relevant stakeholders with whom we conducted key informant interviews, knowledge of the legal age of marriage and the legal status of 'harmful traditional practices' was neither consistent nor good.

This suggests that misunderstandings of the law are pervasive and that educating front-line workers who interact with victims of child marriage, including health professionals, child protection workers, policemen and other similar roles, should be a key goal in order to both help improve the work that is currently occurring to reduce impacts and prevent child marriage and to ensure that correct and useful information is being disseminated to communities.

6. Harness the media to impact attitudes towards child marriage

Some respondents identified television and the media as having improved their community's knowledge and changed opinions on child marriage.

"I think television, radio and the media have an important role because people could visually see (the impacts of child marriage) through television. It would become clear for them [you] that the age is not appropriate for marriage."(FGD Rural Women Ghor)

There has been a range of successful programming using the media to address or change social norms in a variety of contexts,[80] and the development of this kind of programming could be a powerful tool for informing and educating communities.

Further research into the kinds of media that have touched on this issue, as available here in Afghanistan, and the impacts they may have had

on opinions could be a valuable addition to any sophisticated programming developed to target knowledge around child marriage. Such programmes could be both educational – directly providing information around child marriage – and behaviour-modelling – including radio or television dramas which, in the course of broader plotlines, provide examples of 'positive' decision-making around child marriage.

Recommendation 3: Widening and deepening understanding of child marriage as a phenomenon in Afghanistan

Horizon: Long term
Level: Community, programme, government

Learning more through targeted research

There is a clear need for conducting further, targeted quantitative research at both a national and provincial level on current prevalence rates in order to target programming and to address the gaps in existing surveys which collect data on child marriage as an element of larger health or demographic issues, such as the DHS[81] or ALCS[82]. This research was intended to develop a better understanding of the linkages and gaps between knowledge, attitudes and practices in child marriage in the Afghan context, and it has both built on previous work on marriage practices and provided a clear picture of the interaction between personal attitudes, social norms and marriage practices. However, continued research could be undertaken in a variety of areas, including to:

Better ascertain the prevalence of child marriage at provincial levels – particularly as this survey did not include all provinces;

Further investigate the linkages between key drivers identified here – for example, specifically investigating economic situations and child marriage through household profiling in order to provide more targeted recommendations;

Widen research to more vulnerable populations, such as IDPs and returnee groups, whose numbers are increasing and other research has suggested are strongly impacted by and vulnerable to child marriage.[83][84]

Harnessing existing and future programmes to generate knowledge

Though programming on child marriages appears to have been undertaken indirectly through other programmes, such as health or women's empowerment interventions, there is still a potential body of evidence on child marriage that is not currently accessible. A powerful tool for information-sharing and programme development would be working with any agencies who may have conducted evaluative work on child marriage in order to build a database of existing evaluations in the Afghan context and moreover, to ensure that future programming conducted in Afghanistan by the government, international donors or non-governmental/community organisations is generating and collecting useful data that can inform the ongoing development of programmes. Coordination between programme implementers and complementarities between programming that is developed and implemented in future will be key in addressing child marriage on a larger scale.

Moreover, ensuring flexibility to build on this information and future research by utilising or supporting learning approaches in any future programming should be considered fundamental to combating child marriage:

"Even the programs that work on [child marriage] often are very focused on their targets and don't have space to create change or engage in the ways needed." (KII – Women's Rights Advocate, Kandahar)

Recommendation 4: Coordinating for complementary programming and policy

Horizon: Long term
Level: Programme & government

Future programming work in this space must necessarily be either holistic – horizontal programming that addresses multiple issues or factors – or complementary, that is, run in combination or parallel with other programmes that address different but equally important issues.

Focused and specific coordination on this should be an important function in this context, and greater visibility of the existing programming and its overlaps, or gaps, is crucial to developing better and more effective interventions. It is critical to ensure that work to prevent child marriage in Afghanistan does not focus on a sole area of work, like economic challenges, social norms, or women's empowerment, but rather develops a complementary programming which addresses multiple drivers simultaneously, whether through individual and more wide-ranging programmes, or through a variety of more targeted interventions.

Doing so may require a targeted area of programming within both government and key agencies, such as UNICEF, and the development of coordination mechanisms with reporting and evaluation targets, along with appropriate funding, in order to manage inter-agency and government cooperation on the

subject and to facilitate knowledge-sharing and the development of a body of relevant data, knowledge, expertise, existing evaluations, and future research to drive the agenda for the prevention of child marriage in Afghanistan.

Recommendation 5: Addressing drivers, empowering decision-makers

Horizon: Long term
Level: All levels

This report has also identified that giving decision-makers greater agency, as well as educating them, is an important element of challenges to address.

1. Working on programming that particularly targets decision makers in child marriage - i.e. fathers, male heads of households

With a fairly high rate of respondents reporting negative attitudes to child marriage, a critical facet of future programming would be enabling those who make decisions by addressing the structural constraints that may drive them to make choices which are not in line with their personal attitudes to child marriage. One element of this can simply be working to further educate decision-makers, usually male members of households, so that they may feel empowered to make a different calculation in terms of the costs of child marriage as opposed to the benefits. Programmes working with men and boys in other contexts have had successes in terms of delaying or reducing child marriage and should be considered here.[85]

More broadly, however, programming of any kind should take into account how it can attempt to remove or weaken these structural barriers in order to increase available space to make better decisions on marriage within households.

2. Developing programming that can address the economic drivers of child marriage

Recent research has suggested that movement towards using cash transfers, which have been successful in other areas of development programming, could be used in addressing child marriage, and that programming which has incorporated this element – usually linked to education for girls – has had success in other contexts.[86] Given the strong perception amongst respondents that child marriage is economically driven, addressing this element of the challenge could be very powerful, particularly in provinces with higher rates of child marriage, a poorer economic situation, or lower rates of education for girls. However, the efficacy of these kinds of schemes is not fully understood and evidence suggests varied outcomes.

Broadly, however, economic impetus is a key element of what drives families to marry children and programming that can address these, while unlikely to be sufficient alone, could be a useful element of programming, particularly in communities that identify strong economic drivers.

"There is a family in Kandahar province that has two daughters and many suitors come to them but the father of these daughters gives negative responses and says that, "I will not have my daughters married with anyone". We know what the reason is for this - both of them work at an office and they have very high salaries, and so their father is not willing to get his daughters married at age of 22 and 24. Therefore […] if it provides work opportunities for girls and women and if they receive their salaries and wages, then no one will remove them from their house and nether they will get married at young age".
(CLI – Regional Shura Member – Female)

While addressing economic factors alone is not sufficient, comments, like the one above from our qualitative research, suggest that they could indeed play an important role, even if the economic driver is more perceived than factual. Economic drivers may not be the sole, or in some ways a 'true', driver of marriage to a large degree, but the strong and recurring perception of it is more than sufficient to suggest that it may have an impact. This links to the next recommendation:

3. Finding and supporting successful local programmes that have provided alternatives to child marriage

Identifying successful programmes in Afghanistan that have supported families in delaying child marriage is critical: for example, a radio station in Kandahar runs a foundation that provides safe, gender-segregated education to girls in order to relieve the perceived or actual cost burden of education and the concerns around safety for girls attending schools. The foundation has reported success in delaying marriages, has many beneficiaries and a range of programming.[87] However, few of the respondents during our research were aware of specific programming regarding child marriage and a significant part of what programming has existed on child marriage in the Afghan context has been peripheral, rather than directly targeting child marriage.

Given the earlier discussed specificities of the Afghan context, it is even more crucial to highlight and share examples of success. Additionally, elements of broader health or child protection programming that have successfully, if indirectly, addressed child marriage could thus be explored and expanded – for

example, health interventions which deal with the challenges faced by young mothers, or community mediation programmes that have worked with instances of child marriage.

4. Developing programming that addresses security concerns

Separate to the need for programming that addresses economic drivers, important drivers to address include the ongoing concern from families stemming from honour systems relating to girls, perceptions of censure from the community, and general feelings of insecurity or threat to young girls.

This is inherently difficult in an insecure context such as Afghanistan; however aside from the absolute security situation, there are underlying norms that need to be addressed regarding the value of girls as primarily related to honour – and therefore, linked to notions of the 'purity', good behaviour or reputation of girls. These are fundamental and primary enablers of child marriage practices. A critical long-term foundation needed to drive real change is working with communities to change attitudes towards women and girls and to empower and educate women and girls themselves in order to give them the tools to better negotiate their own wellbeing.

Recommendation 6: Improving legal frameworks in theory and action

Horizon: Long term
Level: Government

While community level interventions will be crucial to addressing child marriage, there are important issues at the government or policy level that impact child marriage. As this report suggests, solutions to child marriage in any given context will require complementary solutions at varying levels. Recent governmental initiatives, such as the development of a National Action Plan to End Early and Child Marriage in Afghanistan, represent an important first step on which to build. Working to improve the relevant legal frameworks is not a solution alone, but an important enabler of programme success at other levels.

Incentivising, and removing barriers to, registration of marriages

This report has noted that marriage of any kind is rarely registered, with most marriages performed by mullahs and only a few participants noting that they had registered their marriages. While marriages remain unregistered, it is difficult to monitor, identify or intervene in child marriages before they happen, or to get an accurate picture of marriage practices across the country.

Qualitative research also suggested that where people had registered marriages, it was due to incentives, such as improving access to legal claims:

"When someone promises a house or a piece of land to the bride as her mahr, then families try to register the marriage with the government so that no one takes the house/land back from the girl."(CLI – Head of District Council, Kandahar)

Anecdotal evidence and key informant interviews also suggested that a desire to migrate could be a driver to register marriage.[88] Essentially, the only current incentives to register marriage are for instrumental purposes.

As noted earlier, this is an area that may benefit from awareness-raising and education efforts (see Recommendation 2), while also providing a point of action for child protection actors. However, it can be further addressed through legal and institutional measures.

Working to incentivise registration of marriages would likely be a long-term project, possibly requiring not only communicating the benefits of marriage registration, but also improving the system for registration itself by decreasing the financial or opportunity cost of doing so removing barriers, providing financial or other incentives to register, penalising those who do not, and working with communities to shift mindsets and bring perceptions of marriage into the civil and religious sphere.

Aligning legal structures regarding marriage

Beyond the registration of marriages, there is space to improve legal structures related to marriage and to child marriage specifically. Particularly relevant to child marriage is increasing the legal age to 18 for both genders and bringing Afghanistan in line with international legislation to which it is signatory, such as the Convention on the Rights of the Child and the Convention on the Elimination of all Forms of Discrimination Against Women, among others.[89] As a recent report on legal protections against child marriage outlines: "… parallel laws weaken protections in civil law and expose girls in particular religious and ethnic communities to child marriage. In order to bring an end to child marriage, gender disparities in minimum age of marriage laws must be eliminated and exceptions that facilitate early marriage need to be brought into line with internationally agreed-upon human rights standards."[90]

Changes to these parallel laws will also help to communicate to communities the acceptable definition of 'childhood' versus 'adulthood', which is central to the perpetuation or prevention of child marriage. While

legal analysis was not the focus of this study, the continued prevalence of child marriage makes it clear that existing legal frameworks are not adequately protecting children from child marriage.

Moreover, the justice systems impacting this space are heavily gendered, which potentially increases the vulnerabilities of married girls.[91] The review and improvement of processes and legislation regarding marriage that can potentially enable child marriage should thus be undertaken in order to ensure that the necessary legal frameworks exist to be drawn upon by those who may develop programming in this space, from ministries to INGOs and community organisations. Further investigation into how to provide solid legal frameworks that can support efforts to reduce child marriage should be an element of work in this area going forward, particularly for government actors.

Improving enforcement of penalties for violation of relevant child marriage legislation

Following the previous recommendation, an ongoing projected should be working to ensure that existing, or future, penalties intended to punish those who participate in the practice are able to be enforced nation-wide. Like any legislation, protections against child marriage will only be powerful in so far as they are a credible threat to those who may undertake the practice.

"The government can penalize the parents who are marrying their daughters under age, for example at age 12 or 13, because the girl herself doesn't know anything about marriage. When the government implements law on the parents and punish them, the practice won't happen in the future." (KII – Afghan Women's Network, Bamyan)

Tackling the gap between local justice systems and national legal frameworks

The use and prevalence of local and community justice systems, or parallel legal systems, such as mediation through jirgas, is not necessarily a barrier to addressing child marriage. However, it would be ineffective to improve civil or national legal frameworks alone when they are not in fact the systems that communities use to impart justice. Improving the legal frameworks to support the prevention of child marriage must involve understanding and the integration of these systems so that they can be enablers of prevention rather than barriers to it.

B. Recommendations for further research

Building on the above recommendations that suggest the need for further research and information gathering, the following represents interesting, relevant and constructive areas for potential further research. This study's limitations did not allow for an investigation into all of the following topics; however, each could be extremely useful in informing the development of future programming and policy on child marriage in Afghanistan. These range from research that can be used to better understand existing programme outcomes to research used to better understand child marriage in key areas of vulnerability in the Afghan context.

Child marriage in returnee and IDP contexts

It has been well noted in other contexts that returnee and Internally Displaced Persons (IDP) populations are particularly vulnerable to child marriage as a coping mechanism, as has been the relationship between insecurity or conflict and child marriage.[92] Given recent forced returns from Pakistan, Iran and Europe to Afghanistan and a growing level of internal displacement, investigating the impacts of child marriage within these groups should be considered a priority, with some reports already indicating this challenge exists in the Afghan context.[93]

Detailed mapping of existing child marriage programming in Afghanistan and its impacts

Building on any existing programming that has had positive impacts on communities can be a key part of a strategy in preventing and reducing child marriage. Detailed mapping of organisations that work on child marriage, what programming they have undertaken, and what impacts they have been able to measure should be considered a first step in developing evidence-based child marriage programming.

In-depth exploration of gender in child marriage

A specific investigation of the gendered impacts of child marriage, fully exploring not only the impacts on women, but the interactions between femininities and masculinities and how these structures inform the drivers of child marriage and the lived experiences/ impacts upon individuals, families and communities will allow for the development of more targeted programing.

Impact of media on knowledge of child marriage / change attitudes

Various respondents noted that television and films had changed their and in their opinion, their communities' perspectives on child marriage. Harnessing the media to address social norms has been successful in multiple contexts, and could be considered for programming here.[94]

Amendments to existing surveys on health / demographics to target child marriage

There are a number of surveys in the Afghan context that collect data on, or relevant to, child marriage, which may be better harmonised for the purpose of specifically measuring and understanding child marriage practices. Some existing surveys, for example, collect data only on whether children were married by age 15, 18, or any other increment rather than the exact age at marriage, and/or have age groupings that prove challenging for the understanding child marriage outcomes, such as the 15 to 19-year-old grouping. While these may be relevant for other indicators, assessing how existing demographic and health data collection efforts can be better harnessed and aligned for the triangulation of results, that provide actionable and longitudinal data on child marriage should be a priority.

Family dynamics and power mapping

There has been previous research on marriage in Afghanistan that sheds light on family dynamics and power relationships that may impact child marriage, or engagement in practices like polygyny or baad and badal. However, mapping of this kind could be considered as formative research for the development of interventions in particular areas or communities.

Child marriage in the Afghan justice system

Clear review of the formal and informal justice mechanisms that govern child marriage and how these specifically impact practices could be a powerful tool for improving and strengthening the Afghan justice system, which, along with improving registration and policing systems in regards to marriage, could help to ensure that cases of child marriage can be prosecuted and that the use of informal justice systems, which are often biased against women, is reduced. This could also include gathering data on key mechanisms like marriage registration.

Education and child marriage

There is clear evidence of a relationship between education and child marriage, as developed from research in a variety of contexts. However, the Afghan context, where out-of-school-children are common and where girls are even more likely to be out-of-school than boys, presents challenges to the notion that child marriage is impacting educational levels – in many cases, girls may be out-of-school regardless of marital status. Investigating the direct impacts of education in preventing or delaying marriage for girls in the Afghan context and moreover, the degree to which there is any causal link identifiable between child marriage and lower school attendance for girls, could be a powerful tool for understanding how education can work to prevent child marriage and how the lives of girls are impacted by it.

Investigating coercion and violence and their role in forced and child marriage

Violence and coercion are consistent strains on research and the practice of child marriage in Afghanistan. Developing better understandings of how this structural violence is enacted on an individual, family and community level in order to develop and target interventions could be a powerful tool for dismantling the structures that perpetuate these challenges.

Psychosocial impacts of child marriage

Existing research on psychosocial impacts in the Afghan context documents PTSD, suicide and a variety of other impacts resulting from stressors, ranging from domestic violence and poverty to sexual abuse or child labour, and carries particular reference to children in some cases.[95] However, no specific study on the psychosocial impacts of child marriage could be located and this would be a valuable addition to understanding the needs of children in terms of protection and programming.

Researching lived experiences to enable advocacy and action

Continuing to research and uncover the lived experiences of both men and women impacted by child marriage can be an important tool in not only understanding the nuanced impacts of child marriage on individuals, families and communities but also in creating, nurturing or contributing to a space for discussion, advocacy and civil society action on the topic.

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Annexes

Annex A. Detailed methodology

1. Approach

This research was conducted across five provinces: Bamyan, Kandahar, Paktia, Ghor and Badghis, which were selected in order to provide a cross-section of geographic locations, ethnic groups and regional influences. The provinces of Bamyan and Kandahar were the focus of the research, with larger 'deep dive' samples conducted in these provinces. The research was divided between urban, semi-rural and rural areas in order to provide more detail for comparison and to capture a wider range of drivers and challenges.

The research deployed a range of tools, including a quantitative KAP survey and a variety of qualitative tools, intended to uncover the social norms that impact knowledge, attitudes and practices related to child marriage and to capture further data on the prevalence of child marriage across Afghanistan.

The KAP survey was intended to give a comprehensive view of the knowledge of child marriage in communities, on how households are engaging in child marriage, and to identify gaps between knowledge, attitudes and practice that can be used to assess where programming can be targeted in order to change behaviours and improve outcomes.

Each of the quantitative tools was designed to provide opportunities to both triangulate information gathered in the KAP survey and provide a range of perspectives from other relevant actors while digging deeper into the attitudes and understandings of communities impacted by, and engaging in, child marriage.

Enumerator teams were trained in both qualitative and quantitative tools, and then they tested the tools in the field during a one-day pilot. Samuel Hall's Field Coordinators managed field teams during the fieldwork phase and Project team members were deployed to Bamyan and Kandahar to supervise the research in these 'deep dive' sample provinces. Remote data monitoring was undertaken by project team staff, along with data verification, as possible, in the field and checks that were performed on incoming data to validate the work of field teams.

2. Research process

2.1. Inception Phase

The team undertook a 3-step process to conduct this research, resulting in this report, validated with key stakeholders whose comments are incorporated into the final version of the report.

Figure 35. KAP Study on Child Marriage Work Plan

2.1.1. Secondary desk review

In the first weeks, the research team will conduct a thorough desk review drawing on following documents:

- Existing MoLSAMD and UNICEF documents on Child Marriage:
- Broader research on the incidence of child marriage and the attitudes and practices supporting it
- Institutional documentation

Please note that the desk review was an on-going activity throughout the course of the project. In addition to the desk report, both inception and draft reports will contain information drawn from the secondary literature. A detailed bibliography will be provided with the desk report and draft reports.

2.1.2. MOLSAMD & UNICEF meetings

After awarding of the contract, the Project team undertook meetings with key officials in MoLSAMD and UNICEF, in person in Kabul and on the phone with those based in the provinces, if any. The objectives of these meetings was to:

- Ascertain the expectations of this assignment at all levels at MoLSAMD and UNICEF
- Develop a research framework within which the research study will take place;
- Determine the sampling plan and logistics of the fieldwork.

2.1.3 Meetings with other core stakeholders / key informant interviews

The Project Manager and officers conducted interviews with other donors, stakeholders and

government officials, who work on the topic of child marriage in Afghanistan. The objective of these meetings was to identify key questions and cultural structures around child marriage to create a comprehensive framework for the research and to identify other contacts and stakeholders to develop a comprehensive key informant interviews in the provinces where fieldwork will be conducted.

These interviews were led using a semi-open questionnaire and lasted about 1 hour. Support was requested from MoLSAMD at both national and sub-national levels to suggest additional names and contacts, and to complete the list of key informant interviews needed for this research study. Please note that KIIs were an ongoing activity throughout the research.

2.1.4 Development of research tools and fieldwork plan

After preliminary meetings and secondary desk review, the research team identified and developed the tools needed during the fieldwork. These included:

- Quantitative Household Questionnaires to generate evidence on knowledge, attitude and practice (KAP) of Afghan households on child marriage
- Focus Group Guidelines for community discussion;
- Semi-quantitative, semi-qualitative guidelines for interviews with community leaders and religious elders
- Case Study Guidelines for interviews with both men and women (as well as children) who married as children
- Key Informant Interview Guidelines.

The questionnaire was also inspired by the tools used in the Multiple Indicator Cluster survey (MICS) / Afghanistan Demographic and Health Survey (DHS), but primarily sought to focus on uncovering the impacts of social norms on child marriage and to understand not only the knowledge of, attitudes towards and practice of child marriage but to identify gaps between knowledge, attitude and practice which can speak to causes of child marriage and inform programme development in future. These tools were sent to UNICEF program staff for approval before being translated into Dari and Pashto.

The first stage culminated in the previous Inception Report.

2.2. Fieldwork phase

2.2.1. Research locations

MOLSAMD identified the following five provinces out of the ten focus provinces of UNICEF Afghanistan as being the most relevant: Kandahar, Paktia, Bamyan, Ghor and Badghis.

2.2.2. Fieldwork methodology

In order to collect the desired information – evidence on knowledge, attitudes and practices that are the drivers of child marriage in each of the five focus provinces – Samuel Hall conducted a Knowledge, Attitude and Practices (KAP) Survey, completed using a quantitative household survey and qualitative tools including FGDs, case studies, and semi-quantitative, semi-qualitative interviews.

Quantitative tools

Focusing on knowledge and attitudes of the respondents, KAP questions are intended to identify key knowledge, social norms and community practices commonly shared by a population or target group about particular issues.

The KAP survey was intended to:

- Measure the extent of child marriage practices;
- Enhance the knowledge, attitude and practices around child marriage to identify what is known and done about it in the five provinces of interest;
- Establish the baseline for use in future assessments and help measure the effectiveness of the activities put into place by MoLSAMD and other actors in changing socio-cultural behaviours around child marriage;
- Suggest an intervention strategy in light of specific local circumstances and the cultural factors that influence them, to plan programming suited to the respective population involved.

This KAP survey took a two-phased approach, with in-depth research to be conducted in Kandahar and Bamyan, and a smaller sample in Ghor, Badghis and Paktia. Bamyan and Kandahar were specifically selected as the provinces for in-depth analyses as together they represent very different profiles of Afghan society, including urban versus rural and populations of different ethnicities.

The survey targeted households and one household member was surveyed – not necessarily the head of

household given that during the daytime they might not have been at home due to work. Where possible, enumerators sought to interview female household members. These were preferably older members of the household who may have been aware of the details of all household members, but this was not required. In addition, the survey involved a sub-set of questions to be posed to one female household member under 18 years of age, both married and unmarried, if available at the time of survey. While it was likely that this would not gather a statistically significant sample this represented an opportunity to gather additional data from a key group, and triangulate data from case studies regarding both impacts and preventative strategies.

Quantitative tools

Semi-quantitative, semi-qualitative guidelines for interviews with community leaders and religious elders

Bamyan & Kandahar: At least 4 religious leaders and 4 community elders; 9 per province

Badghis, Paktia & Ghor: 1 religious leader and 1 community elder per province

These guidelines will generate evidence on the perceived legal (governmental, Sharia and traditional) frameworks surrounding child marriage, thereby improving understanding of the justifications for child marriages and how the community as a whole approach them. Given the key role of community leaders and religious elders in Afghan communities, it is crucial to be able to work with them to eventually determine good practices and areas of opportunities to end child marriage.

Focus Group Discussions (FGDs)

Bamyan & Kandahar: At least 1 for each type of area, rural, semi-urban, urban in each province, with a minimum of 1 male and 1 female per province.

Badghis, Paktia & Ghor: 1 male and 1 female per province

The FGDs will allow for discussion within each type of community visited of the roles different community members play in allow child marriage in each community as well as identify who has resisted child marriage and why, and test out hypotheses on potential methods to address child marriage in the community identified in preliminary KIIs with MoLSAMD and UNICEF. Participants will be chosen semi-randomly and each FGD will be single-gender with only adult participants.

These allow for triangulation of information received through quantitative interviews, and moreover, obtaining wider sector-level perspectives on the specific issues MoLSAMD / UNICEF is aiming to address, and respondents' particular contexts. The different groups will be asked similar questions to see how they address and answer them specifically. Through these FGDs, we will be able to get validate and add to the quantitative fieldwork and observations.

Case studies

Bamyan & Kandahar: 7 per province; 6 female (4 married, 2 unmarried) and 1 male

Badghis, Paktia & Ghor: 3 per province; 2 female and 1 male

The in-depth case studies with men and women married as children (including some who are still children) will help to analyse the role (if any) which they played in the marriage as well as document how this affected their familial relationships and their thoughts and feelings on child marriage to identify how these social norms are perpetuated and generate evidence on the impact of being married as a child. These will aim to interview people married as children across a range of age brackets.

Key Informant Interviews (KIIs)

Bamyan & Kandahar: Minimum 5 per province

Badghis, Paktia & Ghor: Minimum 3 per province

The research team will conduct in-depth key informant interviews with the key stakeholders identified during the first phase of the project. These will include government representatives, international organisations and non-governmental organisations, donors and relevant local actors.

As much as possible, these interviews will be conducted in person during the consultant visit to the field. The others will be conducted electronically or over Skype / phone, depending on availability and security. The interviews will be conducted using open-ended questionnaires to allow respondents scope to introduce new ideas and to foster a more 'conversational' approach than a survey style questionnaire. Key informant interview guidelines will be prepared beforehand and submitted to MoLSAMD / UNICEF for approval and the finalised version will be included in the inception report.

2.2.3. Sampling plan

This KAP survey took a two-phased approach to the research, with in-depth research to be conducted in Kandahar and Bamyan, and a reduced approach to the research in Ghor, Badghis and Paktia. This allowed for a broad understanding of the practices surrounding child marriage in different areas of Afghanistan while reducing the fieldwork costs. Bamyan and Kandahar were specifically selected as the provinces for in-depth analyses as together they represent very different profiles of Afghan society (including urban and rural and populations of different ethnicities).

KAP surveys were conducted in each section over a quasi-random sample of households selected geographically. Households were chosen at random to determine the prevalence of households in each subset of selection variables. The table below summarizes the sampling conducted for the KAP survey:

Province	Urban	Semi-urban	Rural	Total
Badghis	30	30	30	90
Bamyan	60	59	61	180
Ghor	34	32	32	98
Kandahar	66	65	60	191
Paktia	30	39	33	102
Total	661 households			

Figure 36. Final Quantitative Sample[96]

Tool	Kandahar (Deep Dive)		Total
	Men	Women	
Case Studies	1	6	7
Focus Group Discussions	1	2	3
Semi-quantitative, semi-qualitative religious leader / elder interview	4 Community Leader Interview and 4 Religious Leader Interviews		8
Key Informant Interviews	6 Interviews		6
	Per province - deep dive Bamyan		
	Men	Women	
Case Studies	1	7	8
Focus Group Discussions	1	2	3
Semi-quantitative, semi-qualitative religious leader/elder interview	5 Community Leader Interview and 5 Religious Leader Interviews		10
Key Informant Interviews	5 Interviews		5
	Paktia (Reduced)		
	Men	Women	
Case Studies	1	5	6
Focus Group Discussions	1	1	2
Semi-quantitative, semi-qualitative religious leader / elder interview	2 Community Leader Interviews and 1 Religious Leader Interview		3
Key Informant Interviews	3 Interviews		3

	Badghis (Reduced)		
	Men	Women	
Case Studies	1	2	3
Focus Group Discussions	1	1	2
Semi-quantitative, semi-qualitative religious leader / elder interview	1 Community Leader Interview and 1 Religious Leader Interview		2
Key Informant Interviews	3 Interviews		3
	Ghor (Reduced)		
	Men	Women	
Case Studies	1	2	3
Focus Group Discussion	1	1	2
Semi-quantitative, semi-qualitative religious leader / elder interview	1 Community Leader and 1 Religious Leader		2
Key Informant Interviews	3 Interviews		3
Total	81		

Figure 37. Final Qualitative Sample

Sampling criteria for the qualitative tools varied between each tool, depending on their intended use. The following table illustrates the guidelines used for qualitative sampling.[97]

RESEARCH TOOL	SAMPLE CRITERIA
KAP Survey	One household member – likely the head of household – was surveyed. Where possible, female quantitative enumerators sought to survey female household members. Households were chosen randomly or semi-randomly through door knocking or through the assistance of local contacts.
Case Studies	MALE participants who were preferably under 18 and married; alternatively, a male under 28 who was married under 18 was interviewed. FEMALE participant sample included: At least one married before age 15 for each province (who is still under 18) At least one other who is still under 18 At least two who are under 30 At least two under 18 who are NOT married One who has left a child marriage (i.e. is in a shelter or living away from their spouse) if possible

Focus Group Discussions	Participants were chosen through a combination of methods, partially by random recruitment but also with the assistance of local contacts Focus groups were single gender, composed entirely of either men or women Focus groups involved only adult participants
Semi-quantitative, semi-qualitative religious leader / elder interview	Community leaders or local elders and religious leaders were identified by Field Teams with the assistance of local contacts.
Key Informant Interviews	GoA representatives Kabul: MoLSAMD, MoWA, MoYA Sub-national: DoPH, DoLSAMD, DoWA International organizations: AIHRC, HRW, UNDP, UNFPA, UNICEF. Donors (SDC, ECHO, OFDA, DFID, Embassies) Local actors: AJWA

Figure 38. Sampling Guidelines

2.2.4. Enumerator training & pilot testing

The enumerator team underwent a three-day training to ensure that all members had a shared understanding of the scope of the survey, the sampling technique to use, the specific topics under study, survey instruments, and methods to be used, and the outputs expected from them. This included training on the quantitative tools for conducting in-depth interviews and qualitative tools like FGDs.

Research instruments developed for the assignment were tested in order to ascertain their suitability in actual field conditions. The pilot exercise was conducted over the course of one day. Based on the experiences from the pilot, the research instruments were revised and finalized before the launch of actual fieldwork.

Survey instruments were translated into Dari and Pashto as necessary focusing on all key aspects: semantic, conceptual and normative equivalence of items. Semantic equivalence was ensured by back translating all the tools.

2.2.5. Ethical considerations

The basic principles of respect and non-discrimination form the base of all of Samuel Hall's assessments. Our research team makes every effort to assure that cultural norms and codes of conduct, sensitivity to gender, human rights and minors' rights are respected throughout the survey process. Our experienced enumerators will ensure informed consent and make sure respondents understand the purpose of the assessment and its limitations. Respondents will answer questions on a voluntary basis only and will not receive any direct or indirect material benefit from their contribution, nor will they suffer any onus or retaliation should they decline to participate. This evaluation, as it engages with young women, will abide by the ethical standards detailed in ERIC and by overall research standards. At the same time, it should be noted that Samuel Hall teams will apply its standard principles of quality control to ensure that local elites to not manipulate the assessments to serve their own specific purposes, and that the discussions do not create expectations which could bias the answers.

In particular, conducting research with children presents a specific ethical challenge. As part of this research, children (defined here as those under 18) were interviewed in order to gather information about their marriages. Samuel Hall follows the ethical principles and considerations highlighted by UNICEF in its working paper 'What We Know about Ethical Research Involving Children in Humanitarian Settings: An overview of principles, the literature and case studies' (June 2016) in particular the seven categories identified as requiring reflection in the specific setting to the research, namely: Institutional capacity to involve children in research; Understanding power relations; Harms and benefits; Informed consent and capacities of participants; Privacy and confidentiality (including ICT); Payment, compensation, ancillary services and reciprocity; and Communication of results.[98]

2.2.6. Fieldwork conducted

Based on our planned approach, the research team began fieldwork on May 13th 2017. Due to technical issues in the field and logistical issues in accessing field locations, fieldwork occurred over the space of one month with work in various locations ongoing simultaneously.

Provinces	Fieldwork Dates	Duration
Kandahar	13th May - 22nd May	9 days
Bamyan	13th May – 23rd May	10 days
Ghor	22nd May - 1st Jun & 9th June - 11th June	13 days
Paktia	13th May – 23rd May	10 days
Badghis	13th May – 22nd May	9 days

Figure 39. Fieldwork Dates

In total, 661 quantitative surveys and 84 qualitative pieces (including FGDs, KIIs, community leader interviews and case studies) were conducted. Please see Section 2.2.3. Sampling Plan above for full details of the final sample collected.

Surveys were conducted in the following locations across the Primary Sampling Units (PSUs) listed below:

	Kandahar	Bamyan	Paktia	Badghis	Ghor
Urban	1.Ferqa 2.Topkhana 3.Chawni	1.Zargarann 2.Sukhqul 3.Sayedabad	1.Blandmanzel 2.Askari Famili 3.Zol Bazar	1.Adisabad 2.Geri Khushk 3.Mahale Qasaba	1.Dahari 2.Dar-e-Sherkha 3.Sharake Mahajarin
Semi-Urban	1.Mirwais-Mena 2.Shinghazai Baba 3.Mirwais Mohammad Khan Kalacha	1.Shashpul 2.Nalshera 3.Khwaja Roshnahi	1.Shikhan 2.Ballad-e-Zargar 3.Mulakhil	1.Baghabana 2.Taqabe Esmaeel 3.Qarqaitu	1.Tap-e Khairabad 2.Families Juneberries 3.Safak
Rural	1.Arghandab 2.Sarkari Bagh 3.Ade Mazra	1.Gunbad 2.Paimori 3.Qalai Jafar	1.Chamkani 2.Sterai Kalai 3.Esarak	1.Laman 2.Mirmirak 3.Khwajda Brodar	1.Sange Safed 2.Ahmadabad 3.Qalakha

Figure 40. Primary Sampling Units

Research team composition

Enumerator teams – drawing primarily upon experienced enumerators who live in or originate from the provinces to be studied – were trained in Kabul in both qualitative and quantitative tools, and will test tools in the field during a one-day pilot also conducted in Kabul. Samuel Hall's Field Coordinators will manage field teams during the fieldwork phase, and Project team members will be deployed to Bamyan and Kandahar to supervise the research in these 'deep dive' sample provinces. Samuel Hall's experienced Field Coordinators will oversee work in all provinces, and Project staff will be deployed to Bamyan and Kandahar to provide research support and supervision.

Fieldwork challenges & limitations

Fieldwork in Afghanistan necessarily involves facing a range of challenges. While all that was possible was done to anticipate and reduce issues in the field through Samuel Hall's planning and training processes, nonetheless the team dealt with a number of issues and limitations during the fieldwork phase.

Gender sensitivity	Due to restrictions regarding interactions with a person of the opposite sex, there are instances in the field when male enumerators cannot interact with women. The fieldwork was planned to minimise this risk by employing female field team members where possible. For both research and safety reasons, teams also needed to include male interviewers. Generally, interviewers spoke to respondents of the same gender wherever possible. Due to technical delays, some fieldwork was conducted in Ghor during Ramadan, when only male enumerators could work. The later sample of surveys in Ghor thus have a higher proportion of male respondents.
Flight delays & cancellations	Delays and cancellations in the commercial flights to and from Chaghcharan delayed the fieldwork as the team could not return immediately post training. UNICEF collaborated with Samuel Hall to enable the team's travel.
Conceptual Understanding	Despite care taken around translation of terms like 'child marriage', in Dari and Pashto enumerators still on occasion were required to provide additional explanation of terms like 'child' or 'child marriage'.

Figure 41. Fieldwork Challenges

2.3. Data analysis phase

Quantitative data was monitored during the fieldwork phase and data checks – on timing, location, internal logic and validation errors – were performed regularly to ensure a clean and consistent final data set. In any cases where data concerns were raised, either call-backs with survey respondents or additional surveys were conducted and erroneous or inadequate data removed or updated. Qualitative data was also reviewed in the field by team leaders or field coordinators, and upon receipt by the program team.

The overall profiling exercise and indicator calculation was conducted using SPSS. The qualitative data was analysed using NVIVO software to perform content analyses and further triangulate the information. This allowed for the uncovering of subtle connections and visualisation of qualitative findings in a rigorous fashion.

- The research team then prepared this report including:
- Executive summary;
- Background on child marriage in Afghanistan and comparable contexts;
- Methodology;
- KAP analysis on child marriage in Afghanistan
- Conclusions and recommendations.

Annex B. Findings from desk review

Glossary

Term	Definition	Source
Baad	Marrying a woman to someone as blood money or for the purpose of bringing peace and reconciliation among the families regarding murder, sexual assault or other circumstances following wrong customs and traditions.	Islamic Republic of Afghanistan: Ministry of Justice.[1]
Badal	A tradition of exchanging the girls between two families for marriage. Parents exchange their daughters for marriage.	Women and Children Legal Research Foundation[2]
Child	"A child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier."	Convention on the Rights of the Child[3]
Child Marriage	A formal marriage or an informed union before the age of 18, where according to the Article 70 of the Afghan civil law, child marriage for girls is considered to be before the age of 16 since the legal marriageable age is 16 for girls and 18 for boys.	UNICEF & Civil Law of the Republic of Afghanistan
Elimination of Violence Against Women (EVAW) Law[4]	The EVAW law is the culmination of efforts by government and civil society actors to eradicate all forms of abuse, aggression, and violence against women and girls in Afghanistan. It is in line with the government's Constitution and with Sharia principles that seek to ensure the dignity and equality of all human beings. Under Afghanistan law, all violence is criminal, whether it is against a man, or a woman, a child or an adult, or whether it occurs at home or in public.	
Fistula[5]	An obstetric fistula is a hole between the vagina and rectum/bladder that is caused by prolonged obstructed labour, leaving a woman incontinent of urine, faeces or both	
Hadith	A collection of traditions containing sayings of the prophet Muhammad that with accounts of his daily practice (the Sunna) constitutes the major source of guidance for Muslims apart from the Quran.	Oxford Dictionary[6]
Honour Killing	The killing of a relative, especially a girl or woman, who is perceived to have brought dishonour on the family.	Oxford Dictionary
ISIS [The Islamic State]	A militant Islamic fundamentalist group active particularly in Syria and Iraq.	Oxford Dictionary[7]
Jirga	A tribal council responsible for settling disputes in Afghanistan and Pakistan.	Collins Dictionary[8]
Knowledge Attitude Practice (KAP) Survey[9]	A 'Knowledge, Attitude and Practices (KAP) Survey' is a quantitative method (predefined questions formatted in standardized questionnaires) that provides access to quantitative and qualitative information. KAP surveys reveal misconceptions or misunderstandings that may represent obstacles to the activities that organizations would like to implement and potential barriers to behavioural change. Note that a KAP survey essentially records an "opinion" and is based on the "declarative (i.e. statements). In other words, the KAP survey reveals what was said, but there may be considerable gaps between what is said and what is done.	USAID

Mahr	In Islamic law, the gift, which the bridegroom must make to the bride when the marriage contract is made and which becomes her property.	Oxford Dictionary[10]
Pashtunwali[11]	An informal, oral system of tribal values governing individual and communal behaviour, pashtunwali is defined by its emphasis on community consensus and local decision-making. By privileging village, tribe, and even family over the state, the Codes depend on active local participation.	
Personal Norm	A personal norm is internally motivated and is distinct from a Social Norm, which is externally motivated on way or another.	UNICEF
Quran	The Islamic sacred book, believed to be the word of God as dictated to Muhammad by the archangel Gabriel and written down in Arabic. The Quran consists of 114 units of varying lengths, known as suras - the first sura is said as part of the ritual prayer. These touch upon all aspects of human existence, including matters of doctrine, social organization, and legislation.	Oxford Dictionary[12]
Sharia Law	Islamic canonical law based on the teachings of the Quran and the traditions of the Prophet (hadith and sunna), prescribing both religious and secular duties and sometimes-retributive penalties for lawbreaking. It has generally been supplemented by legislation adapted to the conditions of the day, though the manner in which it should be applied in modern states is a subject of dispute between Muslim traditionalists and The reformists.	Oxford Dictionary[13]
Social Norms	A social norm is what people in some groups believe to be normal in the group, that is, believed to be a typical action, an appropriate action, or both.	Paluck & Ball 2010[14]

Table:

1 "Law on Elimination of Violence against Women (EVAW)." Official Gazette. Islamic Republic of Afghanistan Ministry of Justice, Aug. 2009
2 Open Society Institute and Soros Foundations Network 2010. 'Equal Access of Women to Marriage.' Women and Children Legal Research Foundation.
3 "Convention on the Rights of the Child Adopted: Opened for Signature, Ratification and Accession by General Assembly Resolution 44/25 of 20 November 1989 Entry into Force 2 September 1990, in Accordance with Article 49." United Nations Human Rights Office of the High Commissioner.
4 First Report on the Implementation of the Elimination of Violence against Women (EVAW) Law in Afghanistan. Rep. Islamic Republic of Afghanistan Ministry of Women's Affairs, Jan. 2014.
5 "What Is Fistula?" Fistula Foundation.
6 Oxford English Dictionary. 'Hadith'. Oxford English Dictionary. Oxford University Press, 2017.
7 Oxford English Dictionary. 'Islamic State'. Oxford English Dictionary. Oxford University Press, 2017.
8 Collins English Dictionary. 'Jirga'. Collins English Dictionary. Collins, 2017.
9 USAID (2011). "The KAP Survey Model (Knowledge, Attitudes, and Practices)." Spring: Strengthening Partnerships, Results, and Innovations in Nutrition Globally.
10 Oxford English Dictionary. 'Mahr'. Oxford English Dictionary. Oxford University Press, 2017.
11 Ginsburg, T. 2011. "An Economic Interpretation of the Pashtunwali." University of Chicago Law School.
12 Oxford English Dictionary 2017. 'Quran'. Oxford English Dictionary. Oxford University Press.
13 Oxford English Dictionary 2017. 'Sharia Law'. Oxford English Dictionary. Oxford University Press.
14 Paluck, E. & Ball, L. 2010. Social Norms Marketing Aimed at Gender-Based Violence: A Literature Review and Critical Assessment. International Rescue Committee.

1. Introduction

UNICEF defines child marriage as a formal marriage or an informed union before the age of 18. This definition is contradicted by national law in many countries, including Afghanistan, where according to Article 70 of the Afghan Civil Law, the legal age for marriage is 16 for girls and 18 years of age for boys.[99] Discussion and analysis around child marriage must therefore always specify carefully the understanding and definition of child marriage used.

Prevalence of child marriage

Afghanistan presents significantly higher rates of child marriage than the international average. Globally, one third of girls in the developing world are married before the age of 18, and one in nine are married before the age of 15. By 2012, 70 million women have been married before the age of 18[100]. Figures on child marriage in the Afghan context differ but are uniformly high. The Afghanistan Multiple Indicator Cluster Survey (AMICS) 2010-2011 found that 15.2 percent of surveyed women were married before the age of 15 and 46.4 percent before 18 years of age,[101][102] while the 2016 report on the State of the World's Children suggests that 33% of women in Afghanistan between ages 20 and 24 were married before the age of 18.[103] Globally, child marriage has seen significant decline, lowering from 51.2% for women born between 1955 and 1959 to 40.3% for women born between 1985 and 1989.[104] Regionally, there has been improvement in child marriage across South Asia, however this has in large part been attributed to delaying marriage among younger adolescents girls.[105]

Almost 50 percent of women marrying before the age of 18 – and who are thus considered to be children by the Convention on the Rights of the Child[106] – is a very significant number that in particular reflects the situation of women in Afghanistan. In addition, though there is very limited to no data on child grooms – the State of the World's Children report, for instance, does not collect data on child grooms[107] - there are many cases worldwide, including Afghanistan, of young boys being married before the age of 18.[108] Similarly to child brides, child grooms generally drop out of school and often engage in labouring jobs to provide for the family. Young men can be just as economically limited by marriage – take for example the case of Ozyar Khul, whose age is uncertain but agreed to be between 13 and 16 years of age, was married to 16-year-old Anamingliin the northern province of Balkh in Afghanistan. "If he ever had a chance of breaking out of the grip of poverty that suffocates his village... it is gone now that he has a family to support."[109] The impacts of marrying children, boys and girls, can be seen in many aspects of the country's overall standing and continuation of this practice will continue to impact the following generations of Afghan men and women.

Despite how mainstream the practice seems to be, information about child marriage globally, as well as in Afghanistan, is often scarce and fragmented, with the exception of nationwide surveys capturing socio-demographic details regarding factors such as age of marriage. The aim of this research is therefore to deepen understanding of this phenomenon in the Afghan context by generating further evidence – both qualitative and quantitative – of knowledge, attitudes and practices. Furthermore, this research will consider the social norms that lead to these attitudes and practices. This will fulfil a critical need in informing relevant actors of the cultural, social and economic factors that encourage child marriage in Afghanistan, in order to develop preventative programs and policies to address those notions and social norms.

Broadly, several factors can be identified which correlate with child marriage – economics, security, education, religion and traditional practices. In addition to exploring the knowledge, attitudes and practices along with the broader social norms around child marriage, this research will also consider these contributing factors and how they can be addressed or harnessed to create change.

2. Conceptual background

This Desk Review and the research and reporting for which it provides the foundation are underpinned by the 'Knowledge Attitudes and Practices' framework and deeper understandings of the power and impacts of social norms upon these knowledge, attitudes and practices in the lives of individuals and communities studied.

Knowledge, attitudes & practice

The practice of conducting 'Knowledge Attitudes and Practices' (KAP) surveys originated in the field of family planning and population studies in the 1950s. KAP surveys were designed to measure the extent of hostilities that existed among different communities towards family planning and to gather information on knowledge, attitudes, and practices that could be used by different actors to develop programming or interventions to address the causes and impacts.[110] KAP surveys are an efficient tool for measuring knowledge, practice and attitudes because they provide quantitative data that is well organized and can be more accurately analysed.

KAP surveys are used to gather known information on the situation, confirm or disprove hypotheses, and provide foundations for possible solutions and

programming on the issue. KAP surveys can be used to address harmful traditional practices or social norms, as well as to spread awareness about certain issues on which there is a lack of knowledge in certain societies.

Social norms

Social norms are what people in a particular group believe to be normal or common within the group, that is, what is believed to be a typical action, an appropriate action, or both.[111] Generally, social norms drive people in their decision making process due to their analysis of what is considered to be acceptable in their society. "When people follow social norms, they are motivated by their belief that others expect them to act in accordance with the norm."[112]

In the case of child marriage practices, it has been theorised that it is a social norm in many countries where the practice is very widespread. One of the approaches to reducing child marriage as a practice is to determine whether it is, in fact, a social norm. This can then help to identify how to address it and alter it.

To do this, a prior question to be explored is how social norms emerge in society. Social norms develop out of people's efforts to cope with social problems, whether economic, security or health related. From an economic perspective, it is also believed that "traditional economics builds its theories on a particular model of mankind in which the actor is a rational egoist with fixed or stationary values and preferences."[113] However, this notion is inherently problematic, as humans tend to not question the fairness of certain practices because it seems to be the right solution at the time of facing those dilemmas. There are still many countries and societies where prejudices like sexism and racism are ingrained within social norms because they are seen as contributing to the survival or maintenance of socio-cultural and political structures, and whether they are ethical or fair is not a primary consideration. Indeed, there are racist and sexist norms prescribing unfair treatment of minorities and women. Yet people may regard what is customary as fair, and many of [these] norms [...] seem intuitively to be norms of fairness."[114]

Although it usually is more difficult to measure abstract ideas like social norms, there are several ways to do so. One of the more obvious ways to do this is to speak to people and question them about their attitudes - KAP surveys are useful in this context. The second approach to measuring social norms is through inferring the existence and content of norms from people's behaviour. While there is a possibility of people not telling the truth when asked questions, observing people and the trends in their behaviour can give a more accurate picture of social norms. For example, in England most of marriages are monogamous; therefore it is reasonable to infer that the social norm is to have one wife or husband at a time in England.[115]

Another more indirect method of measuring social norms is through measuring impacts of the hypothesized norms. However, while measuring impacts of the hypothesized norms can provide accurate data on the posited impacts, there is still a possibility that impacts are not causally linked and stem from other issues. Yet another means by which social norms can be measured is through analysing official documents from the context being studied - for example, to see whether child marriage is a social norm in Afghanistan we can look to the Afghan Civil code - which states that legally girls can get married by the age of 16, compared to countries where the marriageable age is 18 for girls like Ireland, where the average age at marriage is 33 for women[116], in Afghanistan 46.4% girls get married by the age of 18.[117]

Child marriage is a global issue, which has affected not only the developing world, but also countries like the United States, where it is legal for girls to get married as young as 12 years of age.[118] Globally the average legal age for marriage is 17 for boys and 16 for girls, but in many countries there are exceptions to the rule with parental consent. The extent of the problem of child marriage, especially for girls, is so large that continuing with current trends by 2020, there will be 50 million wives under the age of 15, and if continued in the same pace, by 2030, the number will reach 100 million.[119]

Child marriage as a social norm in many countries is challenging as it creates the space for undertaking child marriage - if people believe that it is expected of them to marry their children at a young age, there will be little room for questions of how ethical the practice is or what impacts it will have, and continued focus on the ramifications should they not do so rather than the possible methods of prevention.

Marriage and Afghanistan

The concept of marriage and what it ought to, and often does, entail in Afghanistan is an equally critical foundation to this research. Marriage is defined in Afghan civil law as "Marriage is a contract that legalizes relationship between man and woman with the aim of forming a family, and establishes rights and duties of the parties."[120] This highlights the social and reproductive imperatives that it is linked to, and the overtly traditional nature of marriage in the Afghan context. While Afghanistan is a unique context, this understanding of marriage is similar to that of the rest of the South Asian region – for example, research

on marriage practices in Pakistan and Bangladesh by Plan International noted that "marriage was found to play a central and fundamental role in social life. There is a widespread presumption that people ought to marry for a range of reasons relating to sexuality, reproduction, kinship, companionship, religion, culture, and economic wellbeing. Rather than speaking of marriage as a choice, participants tended to speak of it as an obligation".[121] Historically speaking, this is closer to traditional constructs of marriage, intended to maximise fertility and secure social, political and economic alliances.[122] In a context with high child mortality, insecurity and complex tribal and ethnic structures, the need for marriage to perform this role is still seen as important.

Marriage can be diverse in Afghanistan, including a range of practices from polygamy to traditional arrangements related to conflict settlement and family or community relationships, and is strongly economically bound by practices like the giving of dowries and payment of bride prices in addition to the possibility of its use to settle debt or dispute. Decision-making is largely undertaken by families rather than individuals, and affected by many factors including generational dynamics, family experiences, household structure and economic situation. While men often have the majority of decision-making power, it is not necessarily the grooms themselves who have it, but more likely fathers, uncles and elder family or community members. Most marriages have an element of force or either bride or groom being compelled to marry earlier or against their wishes, though brides and grooms may be involved in the decision-making.[123]

3. Causes of & contributors to child marriage

There are a number of identified potential contributors to child marriage practices. Key contributors range from deeply embedded cultural traditions through to economic and security imperatives and a strong connection with lack of education[124]. However, it is important to recognise that in few cases will there be solely one driver in the decision-making around child marriage, and that vulnerability to child marriage may result from a number of intersecting factors.

Traditional practices

In Afghanistan, there are several traditional practices, such as baad, badal, mahr and jirga, which have direct influence on the marriage age of girls in families. Traditional practices like baad and badal – unlike religious practices such as mahr – are banned by the law of Afghanistan, which is based on Sharia Law.

However, as in many contexts there can be significant gaps between legislation and practice or implementation. Significant rural populations - 75% of Afghanistan's population live in these areas[125] - also make access and enforcement extremely challenging, and as such, the civil law does not necessarily impact decision-making. In many areas, tribal jirgas decide on these issues and due to different interpretations of a marriageable age in Islam, most jirgas have come to the consensus that child marriages are not recommended, but are not illegal.[126] In addition to considering Sharia law, jirgas also take into account the tribal code of pashtunwali, which does not always correlate with Islam, but is more focused on maintaining honour in the context of Afghanistan.

Considering the objective of maintaining honour in the community, jirgas often agree to and recommend the practice of baad to help families settle disputes by proposing that one family offer their daughter to the other family involved.[127] Aside from the issue of honour, the practice of both baad and badal have economic objectives. Marriage is very expensive in Afghanistan due to the cultural and religious practice of mahr, the dowry that the groom usually pays to the bride's family. The practice of badal allows families to exchange girls between families which prevents high costs, since both families may have an interest in keeping the marriage expenses as low as possible. One case of badal that the Department of Women's Affairs (DoWA) of Balkh reported was of an eighty-year-old father who married his eight-year-old daughter to a fifty-year-old man. In exchange, the fifty-year-old man married his fourteen-year-old daughter to the eighty-year-old man.[128]

The practice of baad, the tradition of settling debt by offering the other party involved daughters as brides, also has an economic objective. This traditional practice has evolved into a way of coping with issues of debt, by offering daughters in exchange for settling debts.[129] While remaining a common practice, it is not necessarily condoned by the general population, with previous research finding that Afghans generally expressed strong opposition to it.[130]It is also used to settle a range of disputes, from "killings, but also for "moral" crimes and acts such as adultery, rape and where women have run away (for example, from a forced marriage)".[131]In an Afghan context debt does not only apply to money but can also occur as a result of tribal or social conflict. For instance, if a member from one family murders somebody from another family, to settle that debt the family of the murderer will offer their daughter to the family of the victim for settlement of that animosity. Under the code of pashtunwali, women are one of the main representations of a man's honour, and therefore the best way to settle a debt of a murder or a great

amount of money is by offering the most important aspect of your honour, your women.[132] This code applies specifically to the majority Pashtun population in Afghanistan, but the connection between the reputation or honour of girls in families is still apparent in other ethnic groups.

It is also important to note that there is a common perception that the problem is more significant amongst Pashtun populations. The Survey of the Afghan People found that Hazara and Tajik respondents generally suggested older ages for marriage while Pashtun and Uzbek respondents consistently suggested lower ages.[133]

Religion

Another key factor that can contribute to or cause of child marriage is the misinterpretation of religious texts. In Afghanistan, as well as in many other Muslim-majority countries in the same region along with other regions like Northern Africa and the Middle East, the rate of child marriages are very high. Niger in Africa has the world's highest rate of child marriages, where approximately 24% of girls will be married by the time they are 15. That rises to nearly 80% by the age of 18.[134] While this is reported to be due to the extreme poverty in the country, the argument that religion is a key driver of the phenomenon of child marriage in Islamic countries is worth consideration. In Afghanistan, a country that strongly prioritizes Islam and the teachings of the Quran, misinterpretation, wilful or otherwise, may contribute to the normalization of child marriage. However historically, religious interpretations did help Afghanistan to make child marriages illegal in the early 1900s, when the Afghan ruler Amir 'Abd al-Rahman Khan (r. 1880– 1901) imposed restrictions on underage marital unions and bride prices as "an attempt to align customary social practices with the prescriptions of Islam".[135] But in Deobandi Islam, to which the Taliban adheres, it is very common for older men to believe that they have the right to marry off underage girls whenever they see fit, which can explain to some degree the higher number of cases of child marriage during the Taliban regime.[136] But it is important to note in the context of understanding child marriage in Afghanistan that the traditional practices of baad and badal are not derived from, and in fact are prohibited by, Islam.[137]

Geographic

Available data and reports suggest a potential rural-urban divide in terms of child marriage prevalence, generally held to be connected to levels of poverty[138] or to lower levels of literacy and access to education, as did key informant interviews with relevant stakeholders and experts on the topic conducted during the preliminary phase of this research.

Economic

Economic difficulties are considered to be a key indicator of the state of child marriage in any country. The International Centre for Research on Women (ICRW) has found that "more than half of the girls in Bangladesh, Mali, Mozambique and Niger are married before the age of eighteen. In these same countries, more than 75 percent of people live on less than $2 a day."

While religion can be one factor in the establishment of certain social norms, there several other significant factors such as security and economic challenges that play an important role in human survival and in shaping social norms. There are many non-majority Muslim countries where child marriage is an equally significant issue, countries such as India, Nepal, Bhutan, Malawi and Mozambique. While almost half of all child brides worldwide live in South Asia, one in three of them live in India, which indicates the existence of a social norm regarding child marriages in the country, or more broadly, norms regarding the value of children and girls in particular. It also suggests linkages to the economic situation of many families. Young girls, a resource with which their parents can attain greater wealth, are married off at a young age for the bride price and also as a way for parents to lessen their economic burdens (UNICEF 2005; Mathur & Malhotra 2003). Generally the "poorest countries have the highest child marriage rates, and child marriage is most common among the poor who have fewer resources and opportunities to invest in alternative options for girls".[139]In poor households, daughters are seen as economic burdens by many parents, so marrying off daughters at an early age as a survival tool for the rest of the family has become a social norm. In many of the South Asian countries child marriage has become common practice. Nepal, for example, has been struggling with reducing the number of child marriages, and the country has the third largest rate of child marriages in Asia with 37% of girls marrying before the age of 18 and 10% before the age of 15.[140]

In Bangladesh, where 18% of girls are married by the age of 15 and 52% by the age of 18,[141] the culture of and acceptance of child marriage is common in both Muslim and Hindu families.[142] The causes vary from financial status of the families to the widespread accepted notion of chastity among younger girls. The mother of a thirteen-year-old girl explained that they need to have their daughter married at that age because raising a girl child is too expensive in Bangladesh.

"Daughters are expensive. If she goes to school,

you have to buy her books so having a daughter is a problem. If she goes to her husband's there is no issue with expenses. Now girls have the same rights as boys but I could have gotten rid of educational expenses, I could have married her off."

In the same village, the Hindu village elder believed that it is important and good to marry girls off at a younger age because it reduces their chances of interacting with men before marriage:
"Getting a girl married young is a good thing. Even if they die, at least they are married. It's also a good thing because some run away, they leave the house and mix with boys, how do we stop this problem? Marry them off at an early age." [143]Each of these examples demonstrates how social norms are often the results of a need for survival or solutions to social dilemmas.[144]

Afghanistan follows several of these trends. Similar to Bangladesh, the notion of chastity is remains powerful in Afghanistan. This notion can be seen in the continuation of practices like virginity tests in the country despite the ban of them by the Ashraf Ghani administration in 2015.[145] The notion of purity connected to virginity determines the dowry and expenses the bride-to-be deserves in Afghanistan. The concept of dowry is widely accepted in Afghanistan with a basis in the Quran, which states that the groom must pay a certain amount of money to the bride as a gift. However, this does not usually happen in Afghanistan, since it is the third party - the family - that receives the money, not the bride.[146] Therefore, low-income families tend to marry off their daughters at a young age in exchange for the mahr, the mandatory payment to the bride, which unlike what Islamic law requires goes to the family of the bride, not to the bride. In addition, since the dowry is usually higher for younger girls, parents in need of the financial assets can choose to marry off their daughter early for a better amount of money in dowry.[147] This combination of economic need and religious sanction has resulted in a widely undertaken practice.

Security

In addition to the economic situation, and the religious imperatives that may guide ethical decisions, the security situation is also a significant factor in shaping social norms and creating cultures and traditions.[148] This phenomenon can be seen across the world in the conflict- affected areas like Syria, Iraq, Afghanistan, Niger and many other countries. Factors such as the widespread practice of sexual exploitation of women in the conflict affected areas, combined with cultural ideas about family honour directly tied to female virginity and the patriarchal views held regarding the need to protect or shelter, result in a higher tendency for parents to marry off their daughters early in conflict-affected areas.

In Syria, in the face of war and conflict in the past six years, child marriages have drastically increased among Syrians in refugee camps in Lebanon as well as in Syria itself. 23% of women in the refugee camps of Lebanon have been married before the age of 18. In these refugee camps, the marriage of Syrian girls to Lebanese men is also seen as a way out of refugee status since once the Syrian girls marry Lebanese men, they can claim Lebanese citizenship.[149] Iraq has also faced a drastic increase in child brides since the outbreak of conflict with ISIS and other terrorist groups.

Although child marriage is not a new practice in Syria and Iraq, the scale of the problem has increased following growing instability and terrorist involvement in the region. Security can explain to a significant degree why the number of child marriage cases is increasing in many countries such as Syria and Iraq. While in 1997 the rate of child marriages was 15% in Iraq for girls under the age of 18, in 2012 that number has increased to 20% with 5% being girls under the age of 15. "Before (the conflict) they had a future ... now they have to get married as young as 12 because their fathers think that if they get married they'll be safe," explained Rezhna Mohammad, who is a director of psychological services for a local charity.[150] Similarly, Niger, the country with the highest rate of child marriages in the world, is exposed to several terrorist groups like MUJAO, AQIM and Boko Haram, and remains a target of terrorist attacks.[151]

In Afghanistan this correlation can be seen in people's attitudes towards the future of the country, the changes in security and political stability over the years and how it reflects on the rates of child marriages. The Afghanistan Living Conditions Survey (ALCS) 2015 found that between 1999 and 2014, the rate of child marriage practices in Afghanistan dropped by almost half. For example, in 2014, 32.8 % of interviewed women of ages between 20-24 in comparison to 61.9 % of women 35-39 years old were married before the age of 18. Afghanistan has gone through a significant change in terms of its political situation as well as security between 1999 and 2014, so the reflection of the security situation is clear on the statistics and rate of child marriage practices in the country.

While prior to U.S. intervention, during the Taliban regime and the civil war as well as the war with the Soviet Union, the rate of child marriage practices was 61.9%, after U.S. intervention and establishment of a centralized government, the number has significantly dropped to 33% in 2016.[152] Similar to Iraq, Syria and Niger, during instability families tend to marry off

their daughters early for their protection from sexual exploitation, to maintain family honour and to make financial gains. Each of these factors combine to create social norms, as they become accepted by the majority in the society and are not necessarily seen as negative or immoral practices, but simply the best option for survival.

The security situation also perpetuates the presence of returnee and internally displaced (IDP) populations in Afghanistan, which are generally more vulnerable and not exempt from the impacts of child marriage. Studies as early as 2005, prior to the large influx of returnees in 2016, found that returnee populations also exhibited child marriage.[153] More recently, the Norwegian Refugee Council conducted research on urban displaced youth in Afghanistan, and their qualitative study showed strong evidence of child marriage practices in IDP populations, finding that "young women reported having children as early as 16. Many may have married younger, however, given that some young women at the age of 18 reported having three or more children."[154] This represents a significant potential challenge for Afghanistan, with the current context seeing a rise in the number of IDPs and returnees.

Education

Lack of security, financial difficulties, and cultural barriers that focus on chastity of girls and make it the determining factor for family honour are key contributors to the practices of child marriage as a social norm. However, education can also play a role in child marriage, as child marriage can not only prevent girls from receiving education - lack of education can also increase vulnerability to child marriage and result in greater and more negative impacts on the child during a child marriage.

According to the Journal of Political Economy, each year of child marriage below the age of 18 can lead to a decrease of 4 to 6 percentage points in the probability of secondary school completion for girls, and in some cases an impact on literacy as well.[155] Girls with no education are three times more likely to get married by the age of 18 than those girls who have a secondary or higher education, while girls with secondary schooling are 6 times less likely to get married as children. 60% of women ages 20-24 with no education were married by the age of 18. Child marriages, similarly to child prostitution, prevent school-aged girls from attending schools, which additionally contributes to the feminization of poverty. Lack of education and skills hinder the process of income production for women in countries where the practice of child marriage is common, creating further dependency of women upon men and making them increasingly vulnerable to abuses of their rights.[156]

A study conducted in 2006 in Nigeria demonstrated that there is a direct correlation between child marriages and literacy rates, finding that child marriage and early pregnancies account for 15% to 20% of school dropouts. The same study also suggested that if child marriage and early pregnancies could be eliminated, this could potentially reduce the gender gap in education by about half.[157]

While it seems simple that the solution to the practice of child marriage is education, since girls who are more educated are less likely to get married as children, child marriage practices also prevent girls from continuing education as they start to face family-related problems such early pregnancy, housework, and restrictions imposed by their husbands. This lack of education among women and young girls make it difficult for women to fight against child marriages and be able to become independent members of society, thereby allowing the perpetuation of child marriage as a social norm as girls continue to need protection and support.

Gender

Underlying each of these issues is a critical primary factor – that is, norms which enshrine gender inequality and thereby promote gender-based violence (GBV), of which child marriage is one of many forms. Gender inequality and strict gender roles – essentially, assigning a comparatively lower value to women in society – has been routinely identified in literature regarding GBV as a key enabler.[158] In Afghanistan, with its traditional understandings of gender roles and the extremely asymmetrical nature of those understandings, this is a central concern to be addressed and a particularly significant challenge for programming that might seek to create primary interventions rather than secondary or tertiary interventions that address secondary enablers or impacts.

4. Impacts of child marriage

The practice of child marriage impacts lives of the child brides, their children and the development of the society overall in many ways. There are a number of clear impacts of child marriage such as health conditions that young brides develop, the correlation between domestic violence and child marriage, the limitations it often places upon education, and the economic impacts upon society, the families of child brides, and the victims of child marriage themselves.

Health

Many girls experience and develop diseases and health conditions that impact them for the rest of their lives. In addition to the harms that child marriage may

cause to girls' bodies through diseases and physical health conditions, domestic violence and mental health problems are also very common among child brides. Young mothers are at a significantly higher risk than older women for debilitating illness and even death. According to the Afghanistan Mortality Survey, compared with women above the age 20, girls 10–14 years of age are 5–7 times more likely to die from childbirth, and girls 15–19 years of age are twice as likely.[159] In Afghanistan, one in five deaths in girls ages 15-19 were pregnancy-related in 2010.[160]Afghanistan has one of the highest maternal mortality rates in the world according to the World Health Organization and other UN agencies, which estimate 460 pregnancy-related deaths for every 100,000 births, making Afghanistan the second in the world in terms of maternal mortality outside of Sub-Saharan Africa.[161]

Additionally, certain health conditions related to childbirth at an early age like fistula, which causes loss of bladder control, further isolates women from the society due to the smell and perception of the disease. "People used to say, 'You smell really bad.' They said all kinds of things about me, for that reason I went through a lot these last 9 years," said a woman who suffered from fistula for nine years, after being married at the age of thirteen.[162] In 2011, the Social and Health Development Program conducted a survey on fistula in six provinces of Afghanistan with 3,040 married women, which found that 4 in every 1000 women have developed fistula, with 25% of them less than 16 years old at the age of marriage and 17% of them aged 16 when they first gave birth. 67% of women with the obstetric fistula were between the ages of 16-20 when they married. Despite how common the fistula is in Afghanistan, there are only few hospitals in Kabul capable of performing the surgical procedure to cure the condition.[163]

The impacts of child marriage and pregnancies in younger girls extend to the children of child brides as well. Adolescent mothers have a 35%–55% higher risk than older women for delivering infants who are pre-term and of low birth weight. Mortality rates are 73% higher for infants born to mothers over 20 years of age than for those born to older mothers.[164]

Domestic violence

While child marriage in itself is considered abuse and violence against women and children, domestic violence and verbal abuse are more likely to happen in families of young brides, which often leads psychological harm or mental illness.[165] This often leads women to suicide and self-harm. In 2006, the Ministry of Women's Affairs in Afghanistan and the AIHRC reported identifying 106 cases of self-immolation, and this figure is very likely underreported. Almost one third of the cases (29%) involved forced marriages and child marriages; baad or badal, practices involving forced marital exchange to settle a conflict between families or tribes, were identified in 18% of cases, and abuse from in-laws in 16% of cases.[166] Cases of suicide by self-immolation are well-known and common – the Afghan government reported to UNAMA an estimate that 2,400 women each year self-immolate[167] - though as stated in a UNAMA report on the topic, "the authorities investigate very few cases where family members of women who set themselves alight are alleged to have caused the act. This is due to lack of evidence, but also due to reluctance on the part of State authorities to investigate or prosecute such cases."[168]This domestic violence is caused by many factors among families in Afghanistan and according to Global Rights, girls who are married at a younger age are more likely to experience it.[169] The World Health Organization also confirms that there is a direct correlation between child marriage and domestic violence and states that women and girls – especially those aged 15 to 19 years – are at higher risk of physical or sexual violence by their partners.[170] An infamous case of domestic violence was that of Sahar Gul, a victim of domestic violence by her in-laws, who beat and tortured her after she resisted being forced into prostitution. Sahar Gul was forcibly married at the age of 13 to a 30-year-old man in the province of Baghlan.[171]

In addition, financial dependency, in particular dependency on the protection of the male figurehead in families, prevents the victims of domestic violence from resisting. Domestic violence is widely accepted by women in Afghanistan. According to a UNICEF-supported survey, 92% of Afghan women believe that their husbands are justified to beat them for variety of reasons such going out without telling the husband, refusing sex, or even arguing with the husband. This number was slightly lower among more educated and wealthier women, however ever still a high number of 85%.[172]

Economic impacts

Most of the impacts of child marriages are interconnected. Child marriage has a significant impact on the economic growth of countries that is also a result of lack of education, especially at the secondary level. Lacking that level of education often prevents girls from taking part in the development of the country. The majority of girls who are married as children don't receive education, particularly after their marriage, further limiting their skills and opportunities, and those limits lead to reduced earning and productivity.[173]A recent World Bank report found that child marriage has extensive economic impacts,

reducing earnings by women in adulthood by 9%, indirectly reducing household welfare, food adequacy and household consumption, and suggested that ending child marriage could increase earning and productivity on national levels by 1%.[174] As this demonstrates, reduced earnings and productivity have direct impacts on the country's economy, which can impact GDP and poverty levels, creating or perpetuating the poor economic circumstances that are known to contribute to child marriage practices. There is a cycle of poverty that leads parents to marry their daughters at a young age, which then again leads to poverty due low literacy levels and lack of skills required for employment.

Child marriages not only affect the broader economy but cause economic difficulties among individual families, since child marriages usually lead to very early pregnancies that are associated with higher risk of complications and fatalities, thereby creating increased likelihood of need for medical attention[175] which is rarely cheap and for poorer, more vulnerable families more likely to engage in child marriage practice, likely prohibitively expensive.

5. Existing governance

International legislation

While the extent of the problem on the global level would make it seem like nothing has been done to solve the problem, there has been much legal action on an international level as well as on a national level to prevent child marriages. There are a number of treaties, conventions and international agreements, such as the Convention on Elimination of all form of Discrimination against Women (CEDAW) and the Universal Declaration of Human Rights that address the issue of child marriage through Articles which call on states to take legal action, which Afghanistan has signed and adapted formally. CEDAW addresses the issue of child marriages in Article 16 by stating 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 and to make the registration of marriages in an official registry compulsory."[176] Afghanistan voted in favour of the Universal Declaration of Human Rights in 1948 and adopted the articles of the declaration, one of which states that "Marriage shall be entered into only with the free and full consent of the intending spouses'. Since by law children are legally not able to consent to marriage, all child marriages by definition are a violation of the Universal Declaration of Human Rights.

In addition, there have been efforts by the UN agencies as early as in 1964 to promote child protection and legal protection through addressing the minimum age for marriage at the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages.[177] The convention came up with 10 articles on the best ways to promote and ensure legal protection for children in terms of marriage. It calls for the states to specify the legal marriageable age, states that marriage has to always be agreed upon by both parties, and that all marriages should be registered. Two years later, in 1966, there were further efforts on promoting human rights at the International Covenant on Economic, Social and Cultural Rights, which addressed some of the impacts that child marriages have on those affected in Article 12 by calling on the states to achieve a full provision of the reduction of the stillbirth rate or infant mortality for the healthy development of children - stillbirth and infant mortality are 50% more likely to occur in pregnancies of women under the age of 20 than in those who give birth later.[178]

Regional governance

Laws regarding child marriage are different across South Asia, however most of the countries are similar in the way that those laws regarding child marriage are rarely well or consistently implemented. Legislation has also not necessarily delivered results – for example, in India, where three decades after raising the legal age of marriage to 18, half of the country's girls are married below this age.[179]

In addition, while many consider child marriage to have roots in gender-based discrimination, in South Asia many families also pressure their sons to get married at an early age. However unlike girls who are married before their legal age, general laws penalize the marriage of boys under the age of 18 but in most cases not that of girls.[180]Afghanistan, Pakistan and India recognize a higher marriageable age for boys than girls, which further demonstrates the practice's foundations in gender-based discrimination.

In the majority of the countries in South Asia marriage is not a civil practice but a religious one, and registration of marriage is mostly not required. In fact, Afghanistan is the only country in South Asia that has legally required registration of all marriages.[181] Due to the common struggle against this harmful traditional practice of child marriage, the South Asian Initiative To End Violence Against Children has developed a regional action plan to end child marriage in South Asia for 2015-2018.[182]The objective of the action plan is to raise the legal age for marriage to 18 years in at least four countries in South Asia by 2018. Through increase of the legal age for marriage for all to 18, the South Asian Initiative expects many areas essential to national development to improve. The initiative believes that the increase will help improve access

to education for all, pave the way for mobilization of girls, boys, parents, religious leaders and others in addressing discriminatory gender norms, collect evidence on status of married girls below 18 years and on good programme practices to address their needs, enhance advocacy to mobilize action and support for girls who are already married, and improve monitoring, reporting, and evaluation of programs to end child marriage in South Asia.

Afghan legislation

In addition to accepting the Articles of the Convention on Elimination of all form of Discrimination against Women, the government of Afghanistan has made further efforts in the country to resolve the problem of child marriages on the policy level. Article 70 in Afghanistan's Civil Law states that marriage is not considered adequate if the male is below the age of 18 and the female is below the age of 16. In addition, in December of 2016, the Senate approved anti-harassment against women and children legislation, which under Article of 24 of the law states that whoever commits harassment against women or children will be fined 5,000Afs to 10,000Afs.[183] The anti-harassment law against women and children demonstrates that there is positive movement in the spectrum of addressing harassment and violence against women and children as well as acknowledges that the women and children have a right to not be violated or harassed. However, the Elimination of Violence Against Women legislation developed recently was not passed by parliament, so while some degree of progress has been made in protecting women and children from gender-based violence, there has been only limited success.

In 2014, the deputy of the Ministry of Labour, Social Affairs, Martyrs and the Disabled took the initiative to organise a two-day consultative workshop on ways to prevent early and child marriages and to create a draft for National Action Plan to eliminate early and child marriages in the country.[184] One of the proposed solutions to preventing child marriages was to require registration of birth and marriages with the government, which would help keep track of the underage marriages; Afghanistan has adopted that legislation and is now the only country in South Asia to require registration of all marriages. However, while it is now a legal requirement, it is not certain that this has led to real-world changes in levels of registration of births and marriages.

6. Existing programming & interventions

Child marriage programming globally may take a number of forms – ranging from addressing the impacts of child marriage through to interventions designed to address causes of child marriage or to create legal frameworks that prohibit or limit child marriage. In Afghanistan, agencies like UNICEF work to raise awareness of the issue and of its detrimental impacts, while they and the UNFPA work with legal and health frameworks to improve responses to child marriage,[185] and this work has recently seen the Afghan Ministry of Women's Affairs, with the support of the UNFPA, develop a National Action Plan addressing child marriage in Afghanistan, in collaboration with the Afghan Ministry of Women's Affairs, drawing on the work of the UNFPA and other such agencies in the area.

Globally, work on child marriage has taken a number of forms. These largely fall into five key areas or formats - empowering girls with information, skills and networks, enhancing quality and accessibility of formal education, providing economic support and incentives, educating and mobilizing parents and community members, and fostering an enabling legal and policy framework. Recent review undertaken as part of the Expert Group Meeting on the Evidence Base for Accelerated Action to End Child Marriage in South Asia suggested that of these, empowering girls and providing economic incentives – especially for education – appear to be most promising,[186] though these findings regarding programme effectiveness, as the EGM report highlights, are limited by a general lack of rigorous evaluation in these programmes. The latter form of programming in particular, school and incentive-based, is rigorous, simple and scalable, which are key strengths to this method that lend themselves to success and sustainability. However, this must be balanced with the need for depth provided by more long-term programming.[187] Educating and mobilising communities – on the impacts of child marriage or more ambitiously to foster opposition to, or enact change in, social norms – is also key.[188]

7. Conclusion

Child marriage is an enormous challenge stemming from multiple intersecting issues. These include the underlying challenges of entrenched gender inequality along with economic, security, traditional, religious and socio-demographic factors, all of which can combine to create social norms that allow for child marriage in particular contexts. Understanding these social norms, but also the knowledge, attitudes and practices of communities – how child marriage is happening, but also what is known about its legality and impacts and to what degree those involved in its practice approve of it – is key to identifying the extent and nature of the challenge, but also to developing programming and interventions that can address not simply the impacts of child marriage but the more fundamental causes which must be addressed in order to create sustainable, long-term positive impacts.

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who.int/reproductivehealth/publications/violence/24159358X/en/

Annex C. Child marriage KAP study workshop notes

The following are notes taken during the workshop portion of the Launch Presentation of this report on 18th April 2018 at the Ministry of Labour, Social Affairs, Martyrs and the Disabled in Kabul, Afghanistan. Representatives from MoLSAMD, UNICEF and various other agencies were present. The workshop focused on discussion of practical ways to implement solutions or interventions in line with the six key thematic areas of recommendations presented in the report, outlined in Section 5. Recommendations. These areas were as follows:

1. Reducing impacts on existing populations
2. Improving knowledge over raising awareness
3. Widening and deepening understanding of child marriage as a phenomenon in Afghanistan
4. Coordinating for complementary programming and policy
5. Addressing drivers, empowering decision-makers
6. Improving legal frameworks in theory and action

Participants were broken into groups and asked to discuss, outline and then present to the group their ideas in these areas.

Recommendation 1: Reducing impacts on existing population

» This work would apply to girls and boy who got married underage

» We looked at this problem a bit differently, because always when we are talking about child marriage, we think about girls but we tried to look at both boys and girls

» We have many good laws and regulations but unfortunately these are not enforced

» Before going to the individual level, at a broader level the laws should be enforced

» In terms of the impacts upon boys:

- The impacts felt by young men and boys who may be married underage can be quite different
- One is that he becomes responsible for a family – to help address this challenge, we can consider the provision of job opportunities or training in skills that could generate money for the family
- Young men may also need support for continued education when they are pressured to become a breadwinner
- It is also important to educate men about their rights and the rights of their family members, and increasing awareness of the law
- Also helpful for young men could be the establishment of support groups at the community level

» In terms of the impacts upon girls:

- The most important impact is upon their health
- When a couple get married, people expect a child immediately and this social expectation seriously impacts health as a result of early pregnancies. As such, improved access to family planning services and methods is necessary in general, as well as specific strategies to delay first pregnancies
- The continuation of education should be a key goal, as should the provision of skills to economically support the family
- Additionally, increasing awareness of the existing laws and creating support groups could be useful

Recommendation 2: Improving knowledge over raising awareness

- There are a few ways we can consider improving community understanding:
- Providing education through mosques
- Conducting awareness raising programming through shuras and wakils
- Specifically educating parents – through media, advertising, written materials, etc.
- Working with the Ministry of Education on how provide education on the topic in schools and madrassas and on how to incorporate it into curriculum
- Considering how to do this through media like

drama, theatre, film, etc.

- Working with the Ministry of Women Affairs specifically, and also with the Ministry of Public Health to improve support and education through clinics, hospitals and health worker programmes

- We should use all these sources of information through a variety of stakeholders – but there needs to be a coordination of messaging with government and with private institutions, and a lead implementing ministry

  - From government specifically, this would need to include the Ministry of Hajj, Ministry of Education, Ministry of Women's Affairs, Ministry of Information and Culture, Ministry of Labour, Social Affairs, Martyrs and the Disabled, Ministry of Public Health and the Ministry of Higher Education.

» To do this we need to:

  - Institutionalise gender concerns

  - Understand more deeply the provincial differences

  - Work on policy development and implementation – even though child marriage is criminalized by the EVAW legislation it is not in the penal code

  - Develop an M&E system or observation system to assess implementation of laws

  - Improve accountability – it is currently difficult to find out how many early marriages there are and who is involved, and no one is penalized

  - Address corruption

» There is a need for a Memorandum of Understanding on how to tackle these issues between Ministries

» We must also prioritise the development of a proper curriculum that includes national laws

» Strategies for raising awareness of the negative consequences need to be developed working with:

  - Mosques

  - TV / media

- The awareness level is lower in remote areas, so here we also should focus on the means to disseminate in these areas

Recommendation 3: Widening and deepening understanding of child marriage as a phenomenon in Afghanistan

» First, we need to have a range of stakeholders, including various ministries but also beyond government, from NGOs to local stakeholders, on board

  - Sports

  - Ministry of Education curriculum

» Measures taken need to be documented and reported for lessons learned

» Need to better monitor marriage rates to understand changes and trends

» Target groups include:

  - Parents, illiterate people, children, communities, relevant authorities, community elders, community shuras, youth groups, registered madrassas, traditional midwives, law implementers, etc.

  - Men – as patriarchal system decision-makers, their attitudes and actions here must change

Recommendation 4: Coordinating for complementary policy and programming

» Establish a sharing committee for government and NGOs

» Raising awareness and sharing information on the law via the Min of Information and Culture

» To improve the economic problems of people through job opportunities

» Active participation in the issue from all sectors

» Meetings with parents of students and with teachers at schools and madrassas working with Ministry of Education

Recommendation 5: Addressing drivers, empowering decision makers

» Establish consultations with decision makers – discuss child marriage from health, education,

Islamic perspectives

» Explain to communities the broad impact of child marriage – economic, denial of education, safety of the child

» Consider immigration and displacement as another possible driver

Recommendation 6: Improving legal frameworks in theory and action

» We must raise awareness among people, especially those who are unaware of the law, about what is in the law and the constitution about children rights, because even educated people don't know about the civil law. We need people to know that we already have laws against child marriage

» Lobby with the government to have better awareness about the laws across ministries and better understanding of concepts like gender

» Registration of the marriage is very important to improve

» Work to address the economic situation - if government with other organisations could come together to provide programming on this front, it can potentially improve outcomes around child marriage

» Government could provide programming to organisations to go to schools and educate on the topic

» Most of all, we need the support of government to improve the implementation of the law

In addition to these suggestions, it was raised that an area of key focus going forward for all stakeholders must be the fact that while the report shows that people in communities do have awareness that child marriage can be harmful, this does not yet appear to be translating to significant change in practices.

MoLSAMD representatives noted in summary of the proceedings that creating jobs in order to relieve economic pressure is key, as is continuing to work to identify and understand deeply the root causes of the problem, the factors that lead to children being married at an early age, and working with traditional means in the community as well as the mass media to raise awareness and improve knowledge.

Footnotes

1. N=661. The question was applicable to all the households who responded to the survey. Note that this rate is potentially lower than the rate reported in the sub-group profiles also discussed in this report, as it is asking if there have been 'any instances' of child marriage, rather than profiling individual respondents.

2. See for example surveys such as the Demographic Health Survey (DHS), Afghanistan Living Conditions Survey and the UNICEF yearly State of the World's Children report.

3. 2017. Key Informant Interview. Secretary to Director of Child Protection, Ministry of Labour, Social Affairs, Martyrs and the Disabled.

4. Samuel Hall 2013. Gender & Justice Study: Obstacles to Justice

5. UNICEF 1989. Convention on the Rights of the Child. http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx

6. 2005 AsianLII. Civil Law of the Republic of Afghanistan (Civil Code) - Official Gazette No. 353, published 1977/01/05 (1355/10/15 A.P.). http://www.asianlii.org/af/legis/laws/clotroacogn353p1977010513551015a650/

   NB: The civil code reads as follows. Article 70: Marriage shall not be considered adequate until the male [reaches] the age of 18 and the female the age of 16. Article 71: (1) Where the girl does not complete the age provided under Article 70 of this law, the marriage may be concluded only through her father or the competent court. (2) The marriage of a minor girl whose age is less than 15 shall never be permissible.

7. In the United States, for example, legal age of marriage varies by state.

8. UNFPA 2012. Marrying Too Young: End Child Marriage.

9. Samuel Hall 2016. Hanging by a thread: understanding and addressing child labour in the carpet weaving sector in Afghanistan. UNICEF Afghanistan.

10. See for example Central Statistics Organization 2014. National Risk and Vulnerability Assessment 2011-12. Afghanistan Living Condition Survey. Kabul, CSO, which reports that 12.1% of women in the age group 20 to 24 years old were married before age 16.

11. With the noted exception in terms of the different ages for legal marriage between boys and girls.

12. For the purposes of this report, and while acknowledging the depth and importance of these complexities, it will be assumed that children are unable to consent and that child marriage is, by definition, forced marriage.

13. See for example the World Bank's data on Gender in Afghanistan (available at http://datatopics.worldbank.org/gender/country/afghanistan) or the OECD Social Institutions and Gender Index which notes a high degree of gender inequality, high levels of son bias, restrictions to resources and assets as well as civil liberties (available at http://www.genderindex.org/country/afghanistan/).

14. AIHRC 2013. Violence Against Women in Afghanistan (1392). http://www.aihrc.org.af/media/files/PDF/Violence%20against%20women%20Eng.pdf

15. HRW 2012. "I Had To Run Away": The Imprisonment of Women and Girls for "Moral Crimes" in Afghanistan. https://www.hrw.org/sites/default/files/reports/afghanistan0312webwcover_0.pdf

16. Such as a recent UNAMA report which noted that "the prevalence of violence against women and harmful practices continues to be of serious concern"

    UNAMA 2015. Justice Through the Eyes of Afghan Women: Cases of Violence Against Women Addressed Through Mediation and Court Adjudication.

    https://unama.unmissions.org/sites/default/files/unama_ohchr_justice_through_eyes_of_afghan_women_-15_april_2015.pdf

17. Human Rights Watch 2013. Afghanistan: Ending Child Marriage and Domestic Violence. https://www.hrw.org/sites/default/files/related_material/Afghanistan_brochure_0913_09032013.pdf

18. OHCHR 2014. Preventing and eliminating child, early and forced marriage: Report of the Office of the United Nations High Commissioner for Human Rights.

19. Mackie et al. 2015. What are Social Norms? How Are They Measured? UNICEF / University of California, San Diego, Center on Global

Justice.

20. Zasu, Y. 2007. "Sanctions by Social Norms and the Law: Substitutes or Complements?" The Journal of Legal Studies 36, no. 2 (June 2007): 379-396.

21. UNICEF & UNFPA 2016. Report on the Expert Group Meeting on the Evidence Base for Accelerated Action to End Child Marriage in South Asia. http://asiapacific.unfpa.org/en/publications/expert-group-meeting-evidence-base-accelerated-action-end-child-marriage-south-asia

22. OHCHR 2014. Preventing and eliminating child, early and forced marriage: Report of the Office of the United Nations High Commissioner for Human Rights.

23. World Bank 2017. Economic Impacts of Child Marriage: Global Synthesis Report (Conference Edition) June 2017. http://www.costsofchildmarriage.org/publications

24. Mackie, G., Moneti F., Shakya, H., & Denny, E. 2015. What Are Social Norms? How Are They Measured?. UNICEF/University of California, San Diego, Center on Global Justice, 27 July 2015. 19

25. Past versions of the AMICS, ALCS and NRVA surveys can be found on the Central Statistics Organisation Afghanistan's website at http://cso.gov.af/en.

26. Past versions of The Survey of the Afghan People can be found on The Asia Foundation's website at http://asiafoundation.org/.

27. Smith, D.J. 2009. "Decisions, Desires and Diversity: Marriage Practices in Afghanistan." Afghanistan Research and Evaluation Unit Issues Paper Series. Afghanistan Research and Evaluation Unit, Kabul.

28. Previous reports that consider or touch on the subject include yearly reports regarding the Elimination of Violence Against Women (EVAW) legislation by the AIHRC and UNAMA's publications on EVAW, studies by Human Rights Watch and Amnesty International looking at gender and justice, and child marriage more specifically, and the 2009 AREU report on marriage practices. See the Bibliography and Desk Review for more details.

29. Baad: Marrying a woman to someone as blood money or for the purpose of bringing peace and reconciliation among the families regarding murder, sexual assault or other circumstances following wrong customs and traditions.

30. Badal: A tradition of exchanging the girls between two families for marriage, wherein parents exchange their daughters for marriage.

31. Within households, profiles of household members under 23 were taken in the quantitative survey. In these, it was reported that 50% of boys profiled were married between 16 and 17, as opposed to girls, for whom 79% of girls were reported as married between 12 and 17 (47% between 12 and 15 years of age). The age of marriage is both lower for girls, and represents a greater percentage of girls married under age.

32. N=661. The question was applicable to all the households who responded to the survey. Note that this rate is potentially lower than the rate reported in the sub-group profiles also discussed in this report, as it is asking if there have been 'any instances' of child marriage, rather than profiling individual respondents.

33. Central Statistics Organisation (CSO) and UNICEF 2012. Afghanistan Multiple Indicator Cluster Survey 2010-2011: Final Report. Kabul: Central Statistics Organisation (CSO) and UNICEF.

34. Note that all statistics cited within this report, unless otherwise identified as being derived from another source such as the DHS or AMICS surveys, are based purely on research conducted based on this sample across five provinces. For further details of the sample, please see the annex titled 'Detailed Methodology'. It should also be noted that comparison between these rates and those reported within this study are imperfect, and cannot be taken as a true indication of change over time, given the differences in methodology, sample size and focus.

35. It should also be noted that this rural-urban variation contradicts some existing data presented in the Afghanistan MICS 2010-11, but concurs with that of the Afghanistan DHS 2015.

36. Note that this statistic for Ghor is lower than would generally be expected, and this may be for a range of reasons – it is possible that respondents in this area underreported instances of child marriage, or that our sample, which was not targeted beyond an urban versus rural divide in terms of household size, wealth or ethnicity,

disproportionately represents communities or households who do not engage in child marriage.

37. Note that a significant percentage of these marriages were reported as taking place at age 16 or 17 (32%) and as such represent child marriage by this report's definition, but are not necessarily illegal by Afghan law. Girls may be married by age 16, or age 15 with parental consent.

38. In this sub-grouping for example, given gender was not targeted as an element of the sample, the response rate for boys was n=42.

39. A wakil is a representative of the community who may be an elder or respected person, through occupation, landownership, or similar.

40. The niqqa is the Islamic marriage ceremony.

41. A recent study for NRC on civil documentation rates for displaced and host community members found that only 16% of host community men and 9% of women interviewed had marriage certificates.

    Samuel Hall 2016. "Access to Tazkera and other Civil Documentation in Afghanistan." Commissioned by the Norwegian Refugee Council, p.

42. The bride price is that paid by a potential groom or groom's family to secure marriage to a bride. A dowry, conversely, is a sum of money (or possibly land or other capital), which may be given with the bride to the new groom or new groom's family upon marriage.

43. Ministry of Justice, Republic of Afghanistan. 1977. "Afghan laws." 5 January 1977. Asian LII. Available at: http://www.asianlii.org/af/legis/laws/clotroacogn353p1977010513551015a650/.

44. Note that the specific question asked did not enquire about types of safety – physical versus mental, for example, or security from conflict versus crime or theft.

45. Mokammel, M. 2017. (Master's Thesis) Understanding Child Marriage as a Coping Strategy - Knowledge, Attitudes & Practices in Afghanistan. Maastricht University – UNU-MERIT.

46. OHCHR. Fact Sheet No.23, op. cit.

47. Smith, D.J. 2009. "Decisions, Desires and Diversity: Marriage Practices in Afghanistan." Afghanistan Research and Evaluation Unit Issues Paper Series. Afghanistan Research and Evaluation Unit, Kabul.

48. Note that this question applies to the whole population surveyed and respondents were able to indicate 'not applicable' if they did not have family members who married under 18.

49. Based on all respondents who said they had girls who had been married under the age of 18 in their household who had experienced negative health impacts.

50. ICRW 2006. Child Marriage and Domestic Violence. https://www.icrw.org/files/images/Child-Marriage-Fact-Sheet-Domestic-Violence.pdf.

51. See yearly reports by the AIHRC on the Elimination of Violence Against Women (EVAW) for more detail.

52. The forthcoming UNICEF Out-of-School Children Study for Afghanistan finds that, based on CSO population estimates, approximately 2.2 million girls aged 7-17 in Afghanistan are out of school, with others at risk of dropping out.

53. See Table 2.19 - Central Statistics Organization (CSO), and Ministry of Public Health (MoPH). 2017. "Afghanistan Demographic and Health Survey 2015." Government of the Islamic Republic of Afghanistan & USAID. https://dhsprogram.com/pubs/pdf/FR323/FR323.pdf.

54. AIHRC 2009. "Fair Access of Children to Education in Afghanistan." Afghan Independent Human Rights Commission (AIHRC). http://docplayer.net/43309039-Afghan-independent-human-rights-commission-aihrc.html and Oxfam. 2011. "High Stakes: Girls' Education in Afghanistan," https://www.oxfam.org/sites/www.oxfam.org/files/afghanistan-girls-education-022411.pdf

55. AIHRC 2009.

56. 'Factors which impacted your decision to marry children at a later age' is drawn from responses from households who did not indicate that they had any household members who had been married before 18, while 'Most important impacts to consider when making a decision on child marriage' is drawn from answers given by all respondents.

57. Mokammel, M. 2017. (Masters Thesis) Understanding Child Marriage as a Coping Strategy - Knowledge, Attitudes & Practices in Afghanistan. Maastricht University – UNU-MERIT.

58. Religious justifications and the relationship between Islam and child marriage are complex, as there is no clear prescribed age for marriage, and different interpretations are made by different groups of what prescriptions regarding marriage there are within the Quran. The Quran does, however, specify that consent is required for a valid marriage. It should also be noted that traditional practices like baad and badal are not based on the Quran.

59. Mokammel, M. 2017. (Masters Thesis) Understanding Child Marriage as a Coping Strategy - Knowledge, Attitudes & Practices in Afghanistan. Maastricht University – UNU-MERIT.

60. Mokammel, M. 2017. (Masters Thesis) Understanding Child Marriage as a Coping Strategy - Knowledge, Attitudes & Practices in Afghanistan. Maastricht University – UNU-MERIT.

61. See Central Statistics Organisation (CSO) & UNICEF 2012. Afghanistan Multiple Indicator Cluster Survey 2010-2011: Final Report. Kabul: Central Statistics Organisation (CSO) and UNICEF and Central Statistics Organization (CSO) & Ministry of Public Health (MoPH) 2016. Afghanistan Demographic and Health Survey 2015.

62. This diagram refers primarily to one family involved in the marriage decision-making process – this same set of influencers would apply for both the bride and grooms' families, and likely also involve the family members of the other family.

63. Smith, D.J. 2009. "Decisions, Desires and Diversity: Marriage Practices in Afghanistan." Afghanistan Research and Evaluation Unit Issues Paper Series. Afghanistan Research and Evaluation Unit, Kabul.

64. This included only respondents in households where instances of child marriage were reported in profiles of younger household member's marital status.

65. Regardless of justification, it is important to remember that while encouraging families to involve their children in decision-making processes on potential marriage is positive, any underage marriage is by definition 'forced'. Children do not legally have the capacity to consent to a marriage, regardless of their approval or involvement. It is however a positive indication that so many families report that they felt potential brides and grooms ought to be involved in decision-making, regardless of age.

66. Smith, D.J. 2009. "Decisions, Desires and Diversity: Marriage Practices in Afghanistan." Afghanistan Research and Evaluation Unit Issues Paper Series. Afghanistan Research and Evaluation Unit, Kabul.

67. Mackie, G., Moneti F., Shakya, H., & Denny, E. 2015. What Are Social Norms? How Are They Measured?. UNICEF/University of California, San Diego, Center on Global Justice, 27 July 2015. https://www.unicef.org/protection/files/4_09_30_Whole_What_are_Social_Norms.pdf

68. Mackie, G., Moneti F., Shakya, H., & Denny, E. 2015. What Are Social Norms? How Are They Measured?. UNICEF/University of California, San Diego, Center on Global Justice, 27 July 2015. https://www.unicef.org/protection/files/4_09_30_Whole_What_are_Social_Norms.pdf

69. Samuel Hall 2013. Gender & Justice Study: Obstacles to Justice. World Bank.

70. It was common, for example, to hear that because a proposal had been received while a child was young, families felt obligated to marry children either due to fear of reprisal, hesitance to break social ties, or concern that another such proposal might not come.

71. Menz, S. 2016. 'Stateless and Child Marriage as Intersectional Phenomena: Instability, Inequality, and the Role of the International Community', California Law Review. Vol.4 Iss.102.

72. See reports including Samuel Hall's 2013 report Gender & Justice Study: Obstacles to Justice, UNAMA's 2015 report Justice Through the Eyes of Afghan Women: Cases of Violence Against Women Addressed Through Mediation and Court Adjudication, and Human Rights Watch's report "I Had To Run Away: The Imprisonment of Women and Girls for "Moral Crimes" in Afghanistan.

73. Note that co-educational schools are uncommon for older children in Afghanistan, however often school spaces are shared or close by.

74. Smith, D.J. 2009. "Decisions, Desires and

Diversity: Marriage Practices in Afghanistan." Afghanistan Research and Evaluation Unit Issues Paper Series. Afghanistan Research and Evaluation Unit, Kabul.

75. Samuel Hall 2011. Buried in Bricks: A Rapid Assessment of Bonded Labour in Brick Kilns in Afghanistan. International Labour Organisation.

76. UNFPA Afghanistan 2014. National Action Plan to Eliminate Early And Child Marriage in Afghanistan. http://afghanistan.unfpa.org/news/national-action-plan-eliminate-early-and-child-marriage-afghanistan

77. Greene, Margaret. Ending Child Marriage in a Generation: What Research is Needed? Ford Foundation 2014, p. 12

78. Mackie et al. 2015. What are Social Norms? How Are They Measured? UNICEF / University of California, San Diego, Center on Global Justice.

79. UNICEF & UNFPA 2016. Report on the Expert Group Meeting on the Evidence Base for Accelerated Action to End Child Marriage in South Asia. http://asiapacific.unfpa.org/en/publications/expert-group-meeting-evidence-base-accelerated-action-end-child-marriage-south-asia

80. For example, see WHO 2009. Violence prevention: the evidence. Changing cultural and social norms that support violence. http://www.who.int/violence_injury_prevention/violence/norms.pdf

81. See recent versions of the Afghanistan Demographic and Health Survey, http://dhsprogram.com/what-we-do/survey/survey-display-471.cfm.

82. See recent versions of the Afghanistan Living Condition Survey, http://cso.gov.af/en/page/1500/1494/nrav-report.

83. Samuel Hall 2012. Challenges of IDP Protection in Afghanistan: Research Study on the Protection of Internally Displaced Persons in Afghanistan

84. Norwegian Refugee Council & The Liaison Office 2015. Listening to Women and Girls Displaced to Urban Afghanistan. https://www.nrc.no/globalassets/pdf/reports/listening-to-women-and-girls-displaced-to-urban-afghanistan.pdf

85. UNICEF & UNFPA 2016. Report on the Expert Group Meeting on the Evidence Base for Accelerated Action to End Child Marriage in South Asia. http://asiapacific.unfpa.org/en/publications/expert-group-meeting-evidence-base-accelerated-action-end-child-marriage-south-asia

86. UNICEF & UNFPA 2016. Report on the Expert Group Meeting on the Evidence Base for Accelerated Action to End Child Marriage in South Asia. http://asiapacific.unfpa.org/en/publications/expert-group-meeting-evidence-base-accelerated-action-end-child-marriage-south-asia

87. Key Informant Interview – Women's Rights Advocate, Radio Merman, Kandahar

88. Key Informant Interview with UNFPA Afghanistan.

89. Note that KIIs suggest that moves towards equalising the legal marriage age for boys and girls in Afghanistan are already being made.

90. Arthur et al 2015. Legal Protections Against Child Marriage Around the World. World Policy Center, UCLA & Maternal and Child Health Equity Project, Montreal.

91. See for example Samuel Hall's 2013 report Gender & Justice Study: Obstacles to Justice and UNAMA's 2015 report Justice Through the Eyes of Afghan Women: Cases of Violence Against Women Addressed Through Mediation and Court Adjudication.

92. See for example the recent 2017 Thematic Brief on Child Marriage in Humanitarian Setting by Girls Not Brides.

93. See for example the 2015 NRC / TLO report Listening to Women and Girls Displaced to Urban Afghanistan.

94. See for example the 2009 World Health Organisation briefing on Changing Cultural and Social Norms Supportive of Violent Behaviour or 2015 article 'Mass Media and Social Change: Can We Use Television to Fight Poverty?".

95. Ventevogel et al. 2013. 'Child Mental Health, Psychosocial Well-Being and Resilience in Afghanistan: A Review and Future Directions.' Handbook of Resilience in Children of War.

96. These numbers were targeted to represent a statistically significant sample at the provincial level, and by type of location.

97. Please note that these represented guidelines rather than strict sampling requirements.

98. UNICEF 2016. What we know about ethical research involving children in humanitarian settings; an overview of principles, the literature and case studies, Innocenti Working Paper 2016-18.

99. REPUBLIC OF AFGHANISTAN MINISTRY OF JUSTICE. "Civil Law of the Republic of Afghanistan (Civil Code)." Asian Legal Information Institute.

100. International Center for Research on Women. "Child Marriage Facts and Figures."

101. UNFPA Afghanistan 2014. National Action Plan to Eliminate Early And Child Marriage in Afghanistan.

102. International Center for Research on Women. "Child Marriage Facts and Figures."

103. UNICEF 2016. The State of the World's Children 2016: A Fair Chance for Every Child.

104. Nguyen, M.C. & Wodon, Q. 2015. "Global and Regional Trends in Child Marriage", The Review of Faith & International Affairs, 13:3, 6-11.

105. Raj, A & McDougal, L. 2012. "Changes in Prevalence of Girl Child Marriage in South Asia", JAMA. 2012 May 16; 307(19): 2027–2029

106. Central Statistics Organisation & UNICEF 2012. Afghanistan Multiple Indicator Cluster Survey 2010-2011: Final Report. Kabul: Central Statistics Organisation (CSO) and UNICEF.

107. UNICEF 2016. The State of the World's Children 2016: A Fair Chance for Every Child.

108. Strochlic, N. "The Sad Hidden Plight of Child Grooms." The Daily Beast 18 Sept. 2014.

109. Badkhen, A. 2011. "A Groom's Tale." Foreign Policy. N.p., 18 May 2011.

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