



United Nations
TANZANIA
Delivering as One



Choosing when and who to marry is one of life's most important decisions. No one else, however well-meaning, has the right to make that decision. The decision to marry should be freely made, informed decision that is taken without fear, coercion, or undue pressure. It is an adult decision and a decision that should be made, when ready, as an adult. (UNFPA 2012)

MARRYING TOO YOUNG END CHILD MARRIAGE IN TANZANIA

What is child Marriage?

Child marriage, also known as early marriage, is defined as "Any marriage carried out below the age of 18 years, before the girl is physically, physiologically, and psychologically ready to shoulder the responsibilities of marriage and childbearing." (*The Inter-African Committee on Traditional Practices Affecting the Health of Women and Children 2003*)

Current status of child marriage in Tanzania

- ◆ Tanzania has one of the highest child marriage prevalence rates in the world.
- ◆ On average, almost two out of five girls will be married before their 18th birthday. About 37% of the women aged 20-24 were married/in union before age 18. Data shows a 4% decline since 2004 (41%) (*TDHS 2012*).
- ◆ Child marriage in Tanzania mainly affects girls and women, Tanzanian women on average get married more than five years earlier than Tanzanian men.
- ◆ The Law of Marriage Act (1971) allows for boys to marry at 18 and girls to marry at 15. They can marry at 14 if courts approve their request. Girls under 18 need parental permission to marry. In addition, Customary Laws run parallel to Statutory Laws. The Local Customary Law (Declaration) Order, GN 279 of 1963 allows each ethnic group to follow and make decisions based on its customs and traditions. Minimum age of marriage is not provided in the constitution.
- ◆ Prevalence is highest in Shinyanga (59%), followed by Tabora (58%), Mara (55%), Dodoma (51%), Lindi (48%), Mbeya (45%), Morogoro (42%), Singida (42%), Rukwa (40%), Ruvuma (39%), Mwanza (37%), Kagera (36%), Mtwara (35%), Manyara (34%), Pwani (33%), Tanga (29%), Arusha (27%), Kilimanjaro (27%), Kigoma (26%), Dar es Salaam (19%), and Iringa (8%).
- ◆ Contraceptive use is lowest and unmet need for contraception is highest among girls who are married early. In Tanzania, only 12% of married girls aged 15-19 are using modern methods of contraception compared to 24% of married women aged 20 – 24 years.

Which girls are most likely to get married as children?

- ◆ Child marriage in Tanzania occurs more frequently among girls who are the least educated, poorest and living in rural areas:
- ◆ 61% of women aged 20-24 with no education and 39% with primary education were married or in union at age 18, compared to only 5% of women with secondary education or higher.
- ◆ Household wealth influences the prevalence of child marriage among all wealth quintiles. Girls from the poorest 20% of the households were more than twice as likely to be married/in union before age 18 than girls from the richest 20% of the households.
- ◆ In 2010, women aged 20-24 and living in rural areas were almost twice as likely to be married/in union before age 18 than their urban counterparts. This urban-rural divide has remained at roughly the same level since 2004.
- ◆ **Other drivers of child marriage include harmful traditional practices** such as setting of bride price and the practice of female genital mutilation. FGM is used as a rite of passage into adulthood, a signal that a girl is ready to marry. A girl from a practicing community is not considered ready for marriage until she has undergone FGM. The national prevalence of FGM is currently 14.6%.
- ◆ **Gender inequality** lowers a girl's and woman's ability to make decisions related to her education and health but also when and who to marry. In Tanzania, married women have less control over their lives than married men do. Two out of five married women do not participate in decision making regarding their own health care. In Mara region 8% of women participate in household decision-making while in Kilimanjaro region the figure is 64%.

"...my father was at the forefront of arranging my marriage despite my young age of 11 years. This was immediately after undergoing FGM. I have had three children with my husband....."
Voices of child brides in Tanzania (CDF 2010)

What are the consequences of Child Marriage in Tanzania?

◆ **Increased experience of domestic and sexual violence**

Girls married early are more likely to experience violence, abuse and forced sexual relations. Marital rape is not criminalized in Tanzania, rendering child brides even more vulnerable.

◆ **Increased Maternal health and infant health risks**

Girls who marry and give birth before their bodies are fully developed are more at risk of maternal mortality and morbidity.

◆ **Greater exposure to HIV/AIDS**

In Tanzania, married girls between the ages of 15-24 are more likely to be HIV positive than unmarried counterparts (2.5% / 2.0%). 15-24 year old girls who are divorced separated or widowed are 11.3% HIV positive (*THMIS 2011-2112*)

Many young brides cannot negotiate safe sex even when they have knowledge about how to protect themselves and are under pressure to demonstrate their fertility.

◆ **Teenage Pregnancy**

Teenage pregnancy and motherhood are more common among young women living in rural areas and those from poorer families in Tanzania. Overall, 23% of women age 15-19 are pregnant or already have children.

◆ **Isolation and psychological trauma**

Child brides are unable to cope with married life because at their young age they are not well prepared to handle family matters.


What has Tanzania committed to under international and regional agreements?

◆ Child marriage is against Article 16(2) of the Universal Declaration of Human Rights, which states that "Marriage shall be entered into only with the free and full consent of the intending spouses."

◆ Tanzania is signatory to the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW). Article 16 of CEDAW states that women should have the same right as men to "freely choose a spouse and to enter into marriage only with their free and full consent", and that the "betrothal and marriage of a child shall have no legal effect". The CEDAW Committee has specified in its General Recommendation 21, paragraph 36, that the Committee considers the "minimum age" mentioned in Article 16(2) to be 18 for both men and women.

◆ Tanzania is signatory to the Convention of the Rights of the Child. In signing the Convention, Tanzania committed to take "all effective and appropriate measures with a view to abolish traditional practices prejudicial to the health of the children," which includes, among other practices, female genital mutilation/cutting and child marriage.

◆ The Programme of Action adopted by the International Conference on Population and Development (ICPD) in 1994, countries agreed on measures to eliminate child marriage as well as to "strictly enforce laws to ensure that marriage is entered into only with the free and full consent of the intending spouses."



Women with no education get married on average at age 17.7 years versus 23.1 years for women with secondary or higher education. (TDHS Key Findings on Gender 2 010)

- ◆ Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol, to which Tanzania is signatory) Article 2(a) says: "the minimum age of marriage for women shall be 18 years." Article 21(2) of the African Charter on the Rights and Welfare of the Child also requires states to prohibit child betrothal, and to pass legislation stating "the minimum age of marriage to be 18 years."

- ◆ The Concluding Observations on the 2012 Tanzania report to the Committee on Economic Social and Cultural Rights urged

the State party to take the necessary measures to give the Covenant full effect in its domestic legal order, throughout its territory, including through the planned constitutional review prior to 2015.

The Committee is also concerned about the high drop-out rate in secondary education, in particular due to child labour, expulsions following positive mandatory pregnancy test results, and early marriage. (art.13)

"No society can afford the lost opportunity, waste of talent, or personal exploitation that child marriage causes."

Dr. Babatunde Osotimehin
Executive Director, UNFPA

Will ending child marriage contribute to national development?

- ◆ Globally countries which have the high prevalence of child marriage also have high adolescent fertility and maternal mortality rates: rates of child marriage also appear to be highest where a high number of girls are out of school or have dropped out of school.
- ◆ Investing in girls through adolescence delays marriage and childbearing, thereby increasing the space between generations; lowering desired family size as more educationally accomplished girls are less reliant on multiple children for security; and decreasing the age and power differential between partners, thus positively affecting women's ability to meet their fertility goals. Benefits also extend to the next generation, because those who marry later and with more authority are likely to invest in their children (especially their girl children) in ways that establish a virtuous cycle of improved health and education.
- ◆ Efforts to end child marriage must also include interventions that (1) help girls stay at school through adolescence. (2) provide social and economic alternatives to early marriage and childbearing, (3) support married girls, and (4) focus on the youngest first-time mothers.

What is being done to end child marriage in Tanzania?

- ◆ **The Government** has shown its commitment to ending child marriage through particularly the promotion of girl's education at all levels. This is reflected in the efforts to increase access to secondary education including through re-entry of pregnant girls to school to prevent child marriage.
- ◆ **Children's Dignity Forum**, (CDF) a children's rights organization based in Dar es Salaam, has worked towards: Raising awareness to the public on child rights violations, particularly child marriage and female genital mutilation including through girls' clubs; Influencing laws, policies and decision making with regards to the promotion and protection of children rights. CDF partners with FORWARD UK and the Graça Machel Foundation among other International partners.

"To be successful in eradicating child marriage by 2030, there is no village, no township, no corner of this great continent that should not hear the message that child marriage can end."

Her Excellency Graça Machel

- ◆ **Tanzania End Child Marriage Network** is a network with more than 25 Civil society organizations with the purposes of ending child marriage in Tanzania. CDF is the secretariat and the main objective of the network is to raise awareness of the harmful impact of child marriage by encouraging open, inclusive and informed discussions at the community, national and international level.
- ◆ **UNFPA Tanzania through UN Delivering as One** supports national partners such as Ministry of Community Development, Gender and Children and Tanzania Media Women Association, Tanzania Gender Networking Programme, and Children's Dignity Forum, to conduct evidence based advocacy and awareness raising through journalist trainings, investigative journalism, national surveys, and community based participatory action research, all focusing on gender based violence and particularly ending FGM and child marriage.

"I was still in school at the age of 14 years but I was married off as my brother wanted to marry and he did not have cows, so they married me off so that they can get cows for him. I was (my husband's) fourth wife"

Voices of child brides in Tanzania (CDF 2010)