

Addressing emerging drivers of child marriages in Eastern and Southern Africa

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A just world for all women and girls

About Equality Now

Equality Now is a worldwide human rights organisation dedicated to securing the legal and systemic change needed to end discrimination against all women and girls, everywhere in the world. Since its inception in 1992, it has played a role in reforming 120 discriminatory laws globally, positively impacting the lives of hundreds of millions of women and girls, their communities and nations, both now and for generations to come.

Working with partners at national, regional and global levels, Equality Now draws on deep legal expertise and a diverse range of social, political and cultural perspectives to continue to lead the way in steering, shaping and driving the change needed to achieve enduring gender equality, to the benefit of all.



About Southern African Development Community Parliamentary Forum (SADC PF)

The SADC Parliamentary Forum is established under Article 9(2) of the SADC Treaty, and it forms part of the institutional framework of the Southern African Development Community (SADC). Its main objective is to promote inter-parliamentary initiatives around common objectives in view of advancing democracy, the rule of law and human rights in the region. Guided by its Strategic Plan (2024-2028), it is mandated to adopt Model Laws that serve as guiding benchmarks for Member Parliaments in Southern Africa and beyond. The Forum is currently composed of 15 Member Parliaments with a representation of over 3500 MPs.

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Background and rationale

Child marriage is one of the most enduring violations of children's rights across the globe. In the Eastern and Southern Africa (ESA) region, progress towards eradicating the practice varies widely from country to country. In general, however, the region still records a high prevalence rate of child marriage, with over 50 million survivors of child marriage living in Eastern and Southern Africa.¹

Efforts to address child marriage are also confronted with a rapidly evolving context, which calls upon states and other stakeholders to continuously adapt prevention, protection and response measures to enable effective response interventions. Indeed, efforts to address child marriage have often responded to the traditional causes and drivers of child marriage, such as illiteracy, poverty and harmful social norms anchored in religious and cultural beliefs. While these initiatives remain critical, in recent times, new challenges have emerged, which have reshaped and intensified the drivers of child marriage. These new drivers are undermining progress already achieved and are challenging the effectiveness of a response strategy focused solely on the traditional drivers of child marriage. These emerging drivers include:

- ▶ **Climate change**, which is intensifying droughts, floods, and resource scarcity, leading to increased child marriage rates, amongst other negative consequences,
- ▶ The resurgence and evolution of **conflict** and insecurity, which disrupts protection systems, displaces communities, and heightens the use of child marriage as a coping mechanism,
- ▶ Increased **migration** and displacement, whether voluntary or forced, which removes children from protective oversight and increases the risk of child marriage,

- ▶ Persistent **poverty** and widening inequality, which drives children into marriage, due to limited access to resources, education, and livelihoods, and
- ▶ The rapid growth of **technology**, which, while enabling advocacy and awareness, also facilitates misinformation that normalises harmful practices, including child marriage.

While the evidence of the impact of these factors on child marriage in the ESA region is still developing, some trends have already emerged that call for urgent action. The SADC Model Law on Eradicating Child Marriage and Protecting Children Already in Marriage (SADC Model Law) acknowledges these issues, such as conflict and migration, as well as socioeconomic deprivation. However, the evolving context since its adoption means that state responses need to brace up to read into the provisions of the SADC Model Law and ensure that the national responses correspond to contemporary challenges - hence the need for this policy brief.

Recognising the need to accelerate the domestication of the Model Law, and the subsequent implementation of the standards set therein by ESA countries, this policy brief seeks to guide policymakers and other stakeholders working to end child marriage in the ESA region in their efforts to strengthen prevention, protection and support mechanisms and promote stakeholder collaboration. In particular, the brief draws from an up-to-date contextual analysis to recommend measures that policymakers can take to give life to the ideals of the Model Law, and to ensure that their efforts to address child marriage are effective in an evolving context characterised by emerging and evolving drivers of child marriage.

Policy recommendations

With respect to the emerging issues which are analysed in detail in later sections of this brief, states should adopt legislative and administrative measures to enhance their responsiveness to emerging drivers of child marriage. Measures in this context ought to be anchored in law, institutionalised through policy, and aimed at ensuring effectiveness by enhancing the scope of the current response. To this end, states should aim to:

1. Climate change

- ▶ Integrate child marriage prevention into national climate change adaptation and disaster risk management strategies.
- ▶ Acknowledge and address the gendered impacts of climate shocks, such as school dropouts and early marriage, through targeted livelihood and education support.
- ▶ Adopt a gender-sensitive approach to economic empowerment by supporting climate-resilient economic opportunities programmes for women and girls in affected communities.

2. Conflict and insecurity

- ▶ Incorporate child protection triggers, particularly child marriage, into conflict early warning and rapid response systems.
- ▶ Maintain continuity of education and SRHR and protection services during displacement and emergencies.
- ▶ Strengthen laws and accountability mechanisms to prevent transactional relationships and forced marriages during conflict.

3. Migration and displacement

- ▶ Extend legal and protection frameworks to include all children on the move, including refugees, asylum seekers, undocumented migrants and internally displaced children.
- ▶ Deploy mobile child protection units to provide services in camps, settlements and urban migrant hubs, including children who are married.
- ▶ Facilitate registration and documentation to ensure that migrant children, including those who are victims of child marriage, can access education, health and legal services.

4. Poverty and economic inequality

- ▶ Mainstream child marriage prevention into poverty reduction strategies and national social protection programmes.
- ▶ Increase access to credit, land and market opportunities for women and girls, especially in rural economies, to reduce the risk of child marriage.
- ▶ Align access conditions for cash transfers to school attendance for girls.

5. Technology

- ▶ Leverage social media and mobile platforms for advocacy, community engagement and service referrals to prevent child marriage and minimise the risk thereof.
- ▶ Develop counter-messaging strategies to combat misinformation that normalises child marriage.
- ▶ Improve digital literacy among girls and communities to reduce vulnerability to online exploitation.
- ▶ Institutionalise and allocate resources for continuous research on the interaction with, and impact of technology on child marriage, especially digital media.

6. Intersectionality

- ▶ Ensure that policies and strategies to address the emerging drivers of child marriage define specific measures targeted at vulnerable groups, such as children with disabilities, child migrants and refugees, children of indigenous communities, and children in rural and peri-urban areas.
- ▶ Ensure the availability of resources to facilitate the additional support needed to vulnerable groups to make it possible for them to participate in the response measures, such as through the provision of reasonable accommodation for girls with disabilities.
- ▶ Adopt an intersectionality lens in the design of research on the impact of technology on child marriage.

Contextual analysis

Despite the range of measures taken by states and other stakeholders, the incidence of child marriage in ESA is still high, with 32% of the region's young women being married before the age of 18.² While steady progress has been recorded over time, particularly in contexts with stable governance and living conditions, much less progress has been made in communities, regions, and countries where conflicts and emergencies are present. Indeed, even in countries that were previously making progress, the onset of conflicts or other emergencies undermines progress and reverses the gains made towards eradicating child marriage. This is because conflicts and emergencies amplify the vulnerability of already marginalised groups and communities and thereby increase their exposure to the risk of child marriage.³ For instance, displacement often leads to the separation of families and the deprivation of livelihoods, which in turn results in girls being married off by their families for either economic or security reasons. Poverty resulting from displacement also increases the likelihood of transactional sex and sexual exploitation, which are pathways to child marriage. Conflicts and emergencies also disrupt and weaken child protection systems, and undermine the power of traditional governance structures to sustain oversight and to enforce accountability.⁴

There is also growing evidence of the link between climate change and the rising incidence and severity of climate emergencies and child marriage.⁵ For instance, in the past 10 years, the ESA region has experienced a number of extreme weather events such as prolonged drought in Zambia, Zimbabwe and Malawi in 2023/2024; severe flooding in South Sudan, Kenya, Tanzania, Burundi, Mozambique and South Africa; rising water levels as in the case of Lake Victoria and Baringo in Kenya, among others.⁶ Studies show that the incidence of

child marriage rose in some of these countries, following the devastation and distress from the weather events.⁷ For instance, in countries such as Malawi, the rates of child marriage increased significantly after floods in 2015 and 2019.⁸

The emerging issues are interconnected, and their impact on the child is often compounded, as opposed to being linked to a single issue. For instance, climate change creates conditions that trigger conflict due to scarcity of resources and displacement, undermines livelihoods because of diminishing productivity and earnings from agriculture and other nature-dependent activities, and thereby pushes more families into poverty, and creates strife by pushing communities into competition for limited resources, including arable land. Similarly, extreme weather and conflict push individuals and communities to move in search of better economic opportunities. This leads to increased internal displacement, cross-border movement and rapid urbanisation, which in turn leads to expansive urban slums. All these outcomes are linked to increased rates of child marriage.

There is also a need to recognise that various forms of perceived vulnerability, such as disability, living in rural or peri-urban areas, belonging to an indigenous community, or being a migrant, displaced or refugee child, impact how girls and women experience the emerging challenges. For instance, indigenous communities are much more affected by climate change due to their deep connection to, and heavy dependence on, natural resources, such as forests. Similarly, children with disabilities often live in poverty, and measures to promote the economic wellbeing of victims of child marriage would need to be adapted to allow them to participate. It is therefore essential that states adopt an intersectional approach in the design of responses to emerging drivers of child marriage.

1. Climate change

Climate change refers to long-term shifts in temperature and weather patterns.⁹ In the ESA region, climate change manifests itself in extreme weather patterns resulting in events such as storms, floods, drought, heatwaves, cyclones and wildfires.¹⁰ As a result of these events, communities experience diminished productivity, displacement and migration, and a high incidence of diseases and conflicts, amongst other challenges.¹¹ As noted earlier, a number of countries in the region have recorded events of this nature in the past decade, including prolonged droughts, flooding and extreme temperatures, with an increasing frequency in the past decade.¹² Some countries in the region are more prone to hazards such as cyclones and flooding. These include Madagascar, Comoros, Malawi and Mozambique.¹³ There is growing evidence of the link between climate change and related emergencies and the incidence of child marriage.¹⁴ For instance, the government of Malawi noted that there was a direct correlation between flooding in the country and an increase in child marriage.¹⁵ In Mozambique, drought and flooding led to increased rates of child marriage, while in Ethiopia, child marriages declined during the droughts because families could not afford weddings.¹⁶

It is further accepted that climate change has a gendered impact, affecting men and women differently.¹⁷ Women bear the brunt of climate change due to gendered roles and patriarchal norms that hinder access to capital and mitigation measures.¹⁸ Prolonged droughts mean that more of women's productive time is spent in search of water, and increased exposure to the risk of sexual violence. It also increases the likelihood of girls dropping out of school, which then increases their risk of marriage.

The diminishing agricultural productivity and limited adaptation capacity of small-scale farmers mean that more families are plunged into poverty, especially women who form the majority of small-scale farmers in Africa.¹⁹ The increased incidence of disease, which occurs as a result of extreme weather patterns, also means that women and girls bear the burden of care for sick relatives and are more likely to discontinue their education and therefore are prone to marriage.²⁰ The economic impact of climate change, such as crop failure, loss of livelihood and disruption of education leads to families looking to bride price to supplement their income, in turn contributing to an increase in child marriages.²¹ Climate-related loss or change of livelihoods, as well as displacement and migration, increase risks of gender-based violence and harmful practices, including child marriage.²²

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It is therefore important for States to ensure that measures taken towards climate change mitigation and adaptation are responsive to the gendered impact of climate change and the attendant effect on ending child marriage.

2. Migration

Migration has been a constant feature of human civilisation through time. However, the number of people on the move has steadily increased in recent years, along with changes in the type of migration involved.²³ In the ESA region, migration trends include increased cross-border movement, with an increasing number of Africans moving to other countries within the continent.²⁴ Traditionally, and consistent with patriarchal gender norms, men constituted the bulk of economic migrants. However, current statistics show that the proportion of male and female migrants in most African countries is equal.²⁵ Migration is still predominantly internal, mostly influenced by climate emergencies such as droughts and floods, resource conflicts in pursuit of opportunities such as in the mining and extractive sectors, and rural-urban migration in pursuit of employment.²⁶

Most of Africa's migrant population is drawn from countries in the ESA region, with South Sudan as the highest source country, and the Democratic Republic of the Congo (DRC), Somalia and Sudan close behind.²⁷ It can be reliably argued that these numbers do not always present the full reality because of factors such as illegal and informal cross-border movement and poor border control in African countries, which undermine the accuracy of official data.

Migration in Southern Africa is driven by the search for better economic opportunities.²⁸ The extractive industries, such as mining in countries such as Angola, Zambia and South Africa, attract a significant number of migrants from across the region.²⁹ The influx of migrants into mining communities creates enabling conditions for the sexual exploitation of women and children through practices such as sex trafficking, rape and child marriage.³⁰ In Eastern Africa, migration is mainly driven by conflict and violence, as in the case of South Sudan, Ethiopia and the DRC. Environmental factors and lack of economic opportunities have led to significant migration in

countries such as Djibouti, Somalia, Ethiopia and Kenya, where prolonged droughts have decimated agriculture and livelihoods in recent years.³¹

Migration and displacement contribute to child marriage by removing children from the purview of protection structures and systems, including families, schools and other institutions.³² Migration triggered by extractive industry activities also creates local ecosystems, often populated by migrant workers and characterised by exploitative relationships, including sexual exploitation and abuse and child marriages. In recent years, several countries in the ESA region have experienced an upsurge of extractive industries, and with them, a high incidence of child sexual exploitation, including child marriage. It should be emphasised that with the growing severity of climate disasters in Southern Africa, it cannot be ruled out that there will eventually be migrations or internal displacements due to climate change, and hence, policy-makers should remain alert to this possibility.

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With greater integration and improved transport networks, as well as increased border porosity, more and more children are moving across borders, often unaccompanied. This increases their risk of exploitation, including marriage. A significant number of migrant children are also undocumented or working illegally in other countries. This makes them vulnerable to sexual exploitation and marriage without recourse to protection mechanisms in the host country.

3. Poverty

The World Bank reports that there has been significant progress towards reducing extreme poverty.³³ This success notwithstanding, a majority of the world's population remains poor, primarily located in Africa.³⁴ The ESA region still hosts some of the world's poorest countries, such as Malawi, Burundi, Uganda and the DRC, where a significant proportion of the population lives in extreme deprivation. The gap between the poorest and the richest in these and other countries is also growing steadily.³⁵

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The link between poverty and child marriage is well established. Families experiencing extreme poverty may consider child marriage as a way of reducing costs or a pathway out of poverty.³⁶ Indeed, some of the most successful measures of addressing child marriage have leveraged on reducing extreme poverty through education and improved economic opportunities, as well economic support programs such as cash

transfers.³⁷ However, despite the gains made in eliminating poverty generally, women are still disproportionately represented amongst the poor. In fact, women continue to experience economic injustice with limited access to capital, including land, unpaid care and domestic work, and unequal pay for equal work.³⁸ This reality entrenches gender inequality and undermines efforts to eradicate child marriage. When women are economically disempowered, they are more likely to be married as children than their more empowered counterparts.³⁹ More importantly, the unequal economic status of men and women calls for a nuanced and purposive approach to addressing poverty, which considers ending child marriage as a pathway out of poverty, as opposed to merely the result.

There is also emerging evidence that efforts to end child marriage have benefited children in more resourced families, as compared to children in poorer contexts. For instance, UNICEF reported that across sub-Saharan Africa, progress in ending child marriage over the last 25 years, all the progress in reducing child marriage have occurred amongst the wealthiest families, with child marriage rates actually rising amongst the poor.⁴⁰ This development underscores the need for robust and integrated measures that go beyond outlawing child marriage to respond to the economic and other drivers of the practice.

4. Conflict

For many years, it was generally believed that conflict, particularly armed conflict, was on the decline.⁴¹ In Africa, the liberation wars that marked the 60s and the post-independence instabilities of the 70s and 80s were deemed to have significantly abated. At the point of its adoption in 2016, the SADC Model Law recognised conflict as a cause of child marriage, regarding its re-emergence as a ‘new’ challenge at the time. Recent developments indicate that the reemergence of conflict is now a continuing reality. In the past decade, the ESA region has witnessed the resurgence of conflict in several countries such as Mozambique, Ethiopia, Uganda, Rwanda, Somalia, South Sudan and the Democratic Republic of Congo (DRC), and the emergence of internal strife in other countries such as Madagascar, Kenya and Zimbabwe.⁴²

The rates of child marriage are up to two times higher in fragile and conflict contexts, due to families in these contexts considering child marriage as an option to protect girls from sexual violence and therefore to avert perceived dishonour in the event of such occurrences.

These developments are concerning for several reasons. The causes and nature of conflict have evolved beyond governance contestations, to include links to resources (as in the case of the DRC and Mozambique), ideological differences (as in the case of the Lake Chad basin and *boko haram*, as well as *al-Shabaab* in Kenya and Somalia). The evolving reasons point to the fact that conflicts will likely remain a potent reality of our societies for a long time to come, as opposed to a past concern, even for countries that have previously enjoyed peace and stability for many years.

As mentioned above, the link between conflict and a high incidence of child marriage is well established. For instance, it is shown that the rates of child marriage are up to two times higher in fragile and conflict contexts, due to families in these contexts considering child marriage as an option to protect girls from sexual violence and therefore to avert perceived dishonour in the event of such occurrences. Similarly, the hardships imposed by conflicts, including the exclusion of girls from school, increase the likelihood of marriage in conflict settings.⁴³ The re-emergence of conflict as a continuing reality in ESA countries risks reversing or undercutting progress made so far in eradicating child marriage. This means that states must take proactive measures to prevent conflicts, including establishing early warning systems and elaborate measures to respond to such conflicts when they occur. In developing conflict response measures, states must include measures aimed at preventing child marriage and protecting girls who end up married in such circumstances.

5. Technology

Technology is one of the foremost defining features of the present day. It permeates every aspect of society, challenging and shaping social norms. Technology has been a potent tool for advocacy against child marriage, helping to shine a spotlight on the extent of the practice and to call for accountability. On the flip side, technology has enabled the proliferation of alternative perspectives, particularly in the context of social media, which rely on misinformation and disinformation to advance views that justify child marriage and undermine progress towards its eradication. In addition, the SADC Model Law on Gender-Based Violence adopted a broad definition of gender-based violence, which recognises the need to protect women and young girls from the disparaging aspects of technology, which can contribute to crimes that are linked to child marriage, such as kidnappings and human trafficking. While some of these opposing voices have remained marginal to the cause of ending child marriage, they are nevertheless not inconsequential and should not be ignored.

Measures aimed at ending child marriage should take into account the ways in which technology can be leveraged for the prevention and eradication of child marriage, to enhance the success of response measures.

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General reflections from the contextual analysis

As expected, there are wide disparities in the responsiveness of ESA countries to the emerging drivers of child marriage. For instance, while some countries such as Tanzania and Angola are adopting climate policies and strategies to guide the response to climate change and related effects,⁴⁴ a significant number of countries do not have a clearly defined legal or policy approach.

Some climate response policies recognise the gendered impact of climate change and its impact on child marriage. For instance, the East Africa Community Climate Change Policy recognises the differentiated vulnerability, role and impact of gender in responding to climate change. Similarly, the SADC Climate Change Strategy and Action Plan recognises the differentiated impact of climate change on the basis of gender, and therefore urges member states to take gender into consideration in the design of their climate change responses. As overarching standards, the policies provide a basis for ESA countries to engage in how climate change interacts with child marriage and the

measures necessary to address the emerging challenge adequately.

There is also evidence that countries in the ESA region are gradually incorporating measures to address child marriage in humanitarian settings, including the prioritisation of sexual and reproductive health services in emergency and humanitarian responses. For instance, the National Resilience Strategy in Malawi (2018 – 2030) provides education support to girls at risk of marriage during emergencies. Policies targeting girls affected by conflict are also increasingly incorporated into sexual and reproductive health services to minimise the risk of marriage in countries such as Uganda, Ethiopia and Kenya.

There is ample evidence of these measures' positive impact. However, it is also evident that most of the initiatives are project-specific and time-bound and lack clear pathways for law and policy uptake and eventual sustainability in the long term.

Conclusion

Child marriage in Eastern and Southern Africa persists as both a symptom and a driver of entrenched inequality, poverty, and rights violations. While significant progress has been achieved in addressing the traditional drivers of child marriage, particular attention must also be paid to emerging drivers, including climate change, conflict, migration, poverty and technology. Countries in the ESA region and beyond are already grappling with these issues in other policy spheres. There is a need to ensure that action to end child marriage is purposefully integrated into the wider measures in the emerging policy areas.

To respond to the emerging challenges, there is a need to integrate child marriage prevention into climate adaptation, conflict response, migration management, poverty reduction, and digital literacy strategies, as well as anchor such measures in gender transformative and child protection principles. There is also a need to ensure that the SADC Model Law on Eradicating Child Marriage and Protecting Children already in Marriage is updated to reflect some of these emerging drivers and include legal and policy recommendations to guide States' response to these issues. It is also necessary for Parliament and the Executive at the national level to work together to promote anti-child marriage policies and laws, and ensure that targeted policy responses fill all prevailing gaps.

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