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Economic and Social Commission for Western Asia

Legal and Policy Frameworks on Child Marriage in Egypt, Iraq, Jordan and Tunisia

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Outline

- **International Frameworks and Obligations**
- **Regional Frameworks**
- **National Legislation and Policies**
- **Discussion: What is missing? How can we augment the chapter?**

Questions to Consider

- **Are there any other outstanding international frameworks that should be included?**
- **What policies or legislation are missing from the member States under review?**
- **Should there be a more pointed discussion of member States' and civil society's work to end child marriage? If so, what should it entail?**
- **Are there international (or regional) examples of successful legal and policy interventions concerning child marriage that we can reflect upon?**
- **Specific Recommendations to consider?**

Sources

- Gender Justice and the Law series
- CEDAW reporting
- Beijing +25 reporting
- Voluntary National Reviews (SDGs)
- Girls Not Brides website
- Available legislation and policies

International Frameworks

- The Universal Declaration of Human Rights (1948)
- The International Covenant on Economic, Social and Cultural Rights (ICESCR, 1966)
- International Covenant on Civil and Political Rights (ICCPR, 1966)
- Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages (1962)
- Convention on the Elimination of Forms of Discrimination against Women (CEDAW, 1979) and the General Recommendations
- Convention on the Rights of the Child (CRC, 1989)

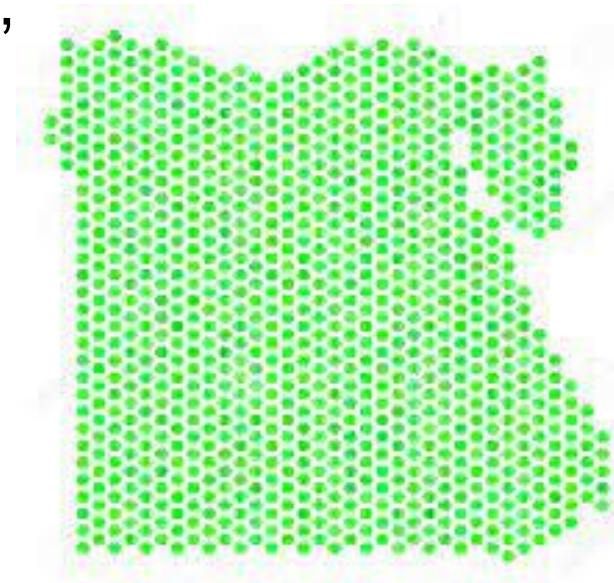
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- Beijing Declaration and Platform for Action (1995)
 - Agenda 2030 and the SDGs (2015-2030)
 - UN General Assembly Resolutions (need to augment)
 - Human Rights Council Resolutions (need to augment)



Regional Instrument	Obligation
<p>Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol)</p>	<p>Article 6:</p> <ul style="list-style-type: none"> a) no marriage shall take place without the free and full consent of both parties; b) the minimum age of marriage for women shall be 18 years
<p>African Charter on the Rights and the Welfare of the Child (ACRWC)</p>	<p>Article 2: A child means every human being below the age of 18 years.</p> <p>Article 21: Governments should do what they can to stop harmful social and cultural practices, such as child marriage, that affect the welfare and dignity of children.</p>
<p>Arab Charter on Human Rights</p>	<p>Article 33</p> <p>1. ... no marriage shall be entered without the full consent of the intending spouses. The law in force shall regulate the rights and responsibilities of spouses as to marriage, during marriage and at its dissolution</p>

National Legal Frameworks and Policies on Child Marriage: Egypt

- Child Law no. 126 of 2008
- Article 227 of the Penal Code amended by Article 31bis of Act No. 143 (1994) on civil status, as amended by Act No. 126 (2008)
- Minister of Justice Decision No. 6927 (2008)



- National Strategy for the Empowerment of Egyptian Women 2030
- The National Council for Childhood and Motherhood has launched a National Strategy to Combat Early Marriage (2015–2020)
- National Strategic Plan for Prevention of Early Marriage (2014)
- National Strategy for Combating Violence against Women and Girls (2015–2020)
- National Population Strategy (2015–2030)
- National Strategy for the Empowerment of Egyptian Women (2016–2030)
- Egypt Vision 2030

National Legal Frameworks and Policies on Child Marriage : Iraq

- Constitution (2005)
- Personal Status Act No. 188 (1959, amended)
- Domestic Violence Act No. 8 of 2011
(Kurdistan Region)



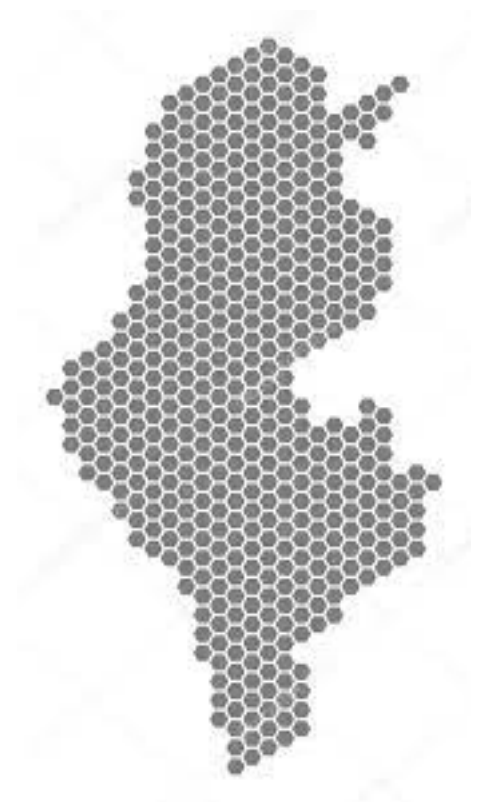
National Legal Frameworks and Policies on Child Marriage: Jordan

- Personal Status Law No. 36 of 2010
- Supreme Judge's Instructions on Permitting the Marriage of a Person under the Age of 18
- National Strategy for Women (2020-2025).
- National Plan for the Implementation of Resolution 1325



National Legal Frameworks and Policies on Child Marriage: Tunisia

- The Personal Status Code (revised in 2007)
- Law No. 58 of 2017 on the elimination of violence against women



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Thank you



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