



REPUBLIC OF GHANA

MINISTRY OF  
GENDER, CHILDREN AND  
SOCIAL PROTECTION

FACT SHEET ON  
**CHILD  
MARRIAGE** IN  
GHANA



# WHO IS A CHILD?

The Children's Act of Ghana, Act 560 (1998 – Section 1) defines a child as a person below the age of eighteen (18) years.

## WHAT IS CHILD MARRIAGE?

Child Marriage is defined as a formal marriage or an informal union in which one or both parties involved are below the age of 18 years'.

Although both boys and girls are affected by child marriage, girls are however disproportionately affected by the practice. The effect on children's education, health and economic prospects are severe, regardless of their sex. Child marriage is often referred to as "early or forced" marriage because children at that age do not have the capacity to make free and informed decisions about the marriage. Child marriage in Ghana can be either 'formalized' through a customary or religious practice, but can also be an informal union.

In recent time, majority of recorded child marriage cases reveal that girls are actually being married to boys of their age and slightly older. The practice is an abuse of human rights (right to education, reproduction, right to maintenance etc.) of the child involved, and punishable by Ghanaian law.

## GLOBAL ANALYSIS OF CHILD MARRIAGE

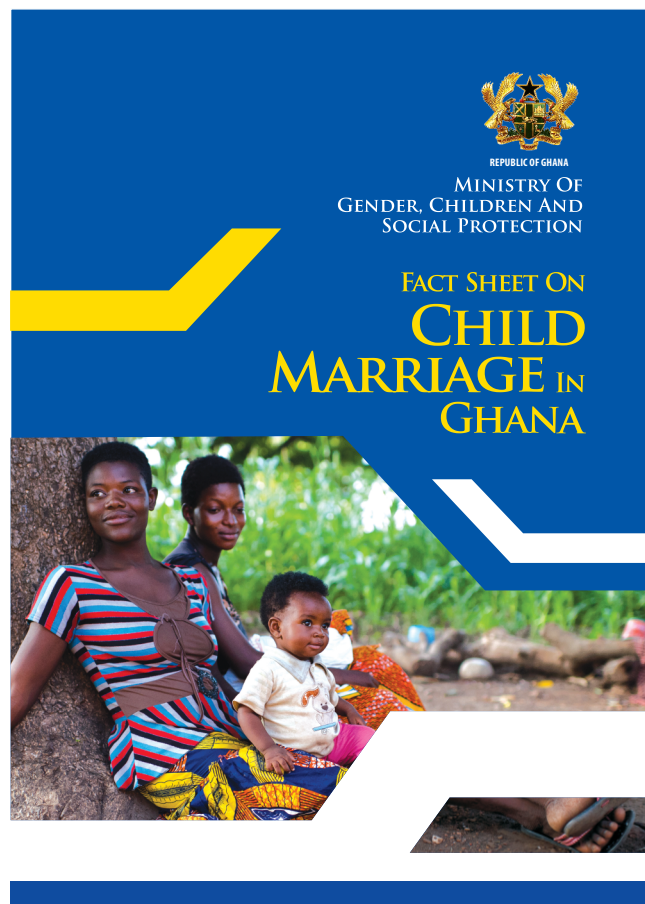
Global statistics according to data released by UNICEF in July 2014 indicates that each year, 15 million girls marry before their 18th birthday.<sup>1</sup>

<sup>1</sup>Source: United Nations Children's Fund, Ending Child Marriage: Progress and prospects, UNICEF, New York, 2014

<sup>2</sup>Source <http://www.girlsnotbrides.org/wp-content/uploads/2014/10/GNB-factsheet-on-child-marriage-numbers-Oct-2014.pdf>

<sup>3</sup>ibid

<sup>4</sup>ibid



A breakdown reveals that each day 41,000 girls get married, every minute 28 girls get married and every two seconds a girl gets married.<sup>2</sup>

The research also indicates that more than 700 million women alive today were married or entered into union before their 18th birthday— this is equivalent to 10% of the world's population (approximately 7.25 billion) with around one in three (about 250 million) entering into the union before the age of 15.<sup>3</sup>

According to UNICEF, 156 million men alive today were married before the age of 18, while 33 million were married before the age of 15. Child marriage among girls is most common in South Asia and Sub-Saharan Africa, and the 10 countries with the highest rates are found in these two regions.<sup>4</sup>



**Top ten countries with the highest rates of child marriage practice in South Asia and Sub-Saharan Africa**

COUNTRY	PREVALENCE RATE
Niger	77%
Bangladesh	74%
Chad	69%
Mali	61%
Central African Republic	60%
Guinea	58%
India	58%
Ethiopia	58%
Nepal	52%
Burkina Faso	52%

*United Nations Children's Fund, Ending Child Marriage: Progress and Prospects, UNICEF, New York, 2014*

Projections on child marriage in Africa are alarming. They indicate that due to population growth, the devastating effect of child marriage are likely to affect a larger number of girls in Africa in the coming years. Even more, it is estimated that the number of child brides in Sub-Saharan Africa will double by 2050, and Sub-Saharan Africa will overtake South Asia to become the region with the highest number of child brides in the world.

# CHILD MARRIAGE IN GHANA

Ghana's regions are recording high prevalence rates of child marriage. On average, 1 out of 5 girls in Ghana is married before their 18th birthday. In other words, the percentage of girls between 20-24 years who were married or in a union<sup>5</sup> by the age 18 is 21% nationally.<sup>6</sup>

This amounts to approximately 260,000 affected girls in the country<sup>7</sup>. However, for girls living in the three Northern Regions of Ghana (Northern Region, Upper East and Upper West regions), this number increases to 1 out of 3 girls (34%). Marriage before age 15 does occur, although it is rarer for girls in Ghana (national prevalence 5%).<sup>8</sup>

Child marriage disproportionately affects girls over boys: among boys aged 20-24 years, only 2% were married before the age of 18, compared to 21% of girls according to DHS 2014 data.

In Ghana, girls from rural areas are twice more likely to become child brides than those in urban areas.<sup>9</sup> Similarly, girls from poorer households are four times more likely to marry than those from the richest households. Furthermore, across Ghana, uneducated young women are twice as likely to have married in childhood compared to those who attended secondary school or higher<sup>10</sup>.

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

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

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

However, since Ghana has a growing population, the prevalence will need to continue to decline in order to keep the number of child brides from growing. If the prevalence remains at the levels seen today (21%), there will be more child brides married each year as the population grows. This is exactly why an acceleration of progress involving concerted efforts by all stakeholders is critical for Ghana.

Regions in Ghana	
Northern	39.6%
Upper West	37.3%
Upper East	36.1%
Western	32.9%
Central	29.5%
Eastern	27.5%
Ashanti	25.9%
Volta	25.9%
Brong Ahafo	23.9%
Greater Accra	18.5%
<b>National Average</b>	<b>27.2%</b>

<sup>5</sup>The term “in a union” is used because in Ghana many marriages are not formally registered but are actually informal unions or customary marriages.

<sup>6</sup>Ghana DHS 2014

<sup>7</sup>This is based on the 2010 Census and the DHS 2014

<sup>8</sup>DHS 2014.

<sup>9</sup>Note that this data is available for the 15-49 age group only in MICS.

<sup>10</sup>DHS 2014



## DRIVERS OF CHILD MARRIAGE:

There are several factors that cause child marriage in Ghana. The interconnectedness and wide-ranging nature of these factors reflect the complexity of child marriage as a socio-cultural, and economic problem. Some of the causal factors are explained below;

### 1. Teenage Pregnancy

In Ghana, teenage pregnancy is both a cause and consequence of child marriage. The 2014 DHS reported that 14% of girls aged 15-19 years had begun bearing children. Girls living in rural areas and with less education were more likely to get pregnant early. To avoid the shame and stigmatization, the girl is given in marriage to the boy/man. Given the linkage of teenage pregnancy to child marriage, the factors driving early childbirth also become relevant. These include limited sexual and reproductive health education, low access to contraceptives and low girls' empowerment

### 2. Cultural Practices

In some cultures, it is acceptable for children to be married. Although some cultures reinforce the practice of child marriage, the adverse effect on

children cannot be overlooked. Child Marriage is a clear violation of human rights and therefore must be eliminated.

### 3. Family Honour

There is a social perception that regards teenage pregnancy as an embarrassment to families. Parents who want to protect their families therefore see early marriage as a solution. On the other hand some parents choose to marry their children at an early age to prevent their unmarried daughters from being exposed to the risk of early pregnancy.

### 4. Gender Discrimination

Child marriage especially with regards to girls is rooted deeply in unequal gender status and power relations that often results in the subjugation of girls and women. The overwhelming majority of children married each year are girls. Meaning, child marriage is often driven by social norms that accord girls little value.

### 5. Low Level of Education

Child marriage is a barrier for young girls to become educated. It denies them the opportunity for self and skill development that can increase their opportunity for economic empowerment. Women with little or no education are more likely (42%) to get married before age 18 than those with secondary or higher education with 5% (MICS 2011).<sup>11</sup> Keeping girls in school is the best strategy to delay teen-age pregnancy and marriage. However, challenges in access and retention to quality education opportunities for girls (particularly at JHS level and in the transition between JHS and SHS) are often cause of school drop-out and can lead to child marriage

### 6. Poverty

There is a direct link between poverty and child marriage (GDHS 2008).<sup>12</sup> Girls from the poorest 20% households were 10 times more likely to be married before the age of 18 than girls from the richest 20% of household. For some people, marrying off their daughters is a solution to reducing a family's economic burden.

<sup>11</sup> MICS 2011

<sup>12</sup> Ghana Statistical Service (GSS), Ghana Health Service (GHS), and ICF Macro. 2009. Ghana Demographic and Health Survey 2008. Accra, Ghana: GSS, GHS, and ICF Macro

## 7. Poor enforcement of legal framework

Ghana has a strong legal and policy framework that frowns on the practice of Child Marriage. However, poor enforcement of the law has led to a culture of impunity because culprits go unpunished. There is therefore little deterrence for potential perpetrators of child marriage.

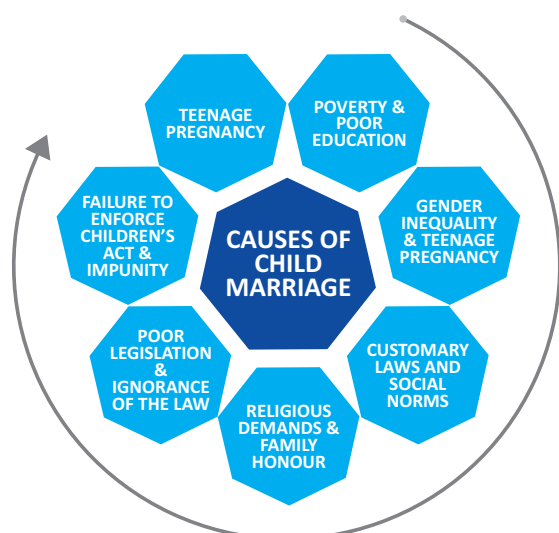


Figure 2 : Causes of child marriage.

Early and Forced Marriage & Gender Based Violence,  
(Women in Law and Development in Africa- Ghana, 2011)

## OTHER FACTORS RELATED TO CHILD MARRIAGE

### ● Violence

- The 2011 Multiple Indicator Cluster Survey (MICS) reports that as many as 60% of women think that a husband is justified in beating his wife if she either goes out without informing him, neglects the children, argues with him, refuses sex, etc. The opinion is highest in the Northern and Upper West Regions at 84%.

- Girls who marry before 18 are more likely to experience domestic violence than their peers who marry at a later age. A study conducted by the International Center for Research on Women (ICRW)<sup>13</sup> in two states in India found that, girls who were married before 18 were twice as likely to report being beaten, slapped or threatened by their husbands than girls who married later.

- Child brides are prone to experience sexual abuse and as a result post-traumatic stress (ICRW 2005).

- Girls who marry before they turn 18 are less likely to remain in school and more likely to experience domestic violence. They face the risk of violence, abuse and exploitation.<sup>14</sup>

### ● Education



- Women from high-income earning households and with higher educational attainment are less likely to get married before age 18. As MICS 2011 has shown, women with little or no education are more likely (42%) to get married before age 18 than those with secondary or higher education with 5%.<sup>15</sup>

<sup>13</sup>International Center for Research on Women - <http://www.icrw.org/child-marriage-facts-and-figures>

<sup>14</sup>UNICEF, State of the World's Children, 2009.

<sup>15</sup>MICS 2011

- Education has been a critical factor in influencing the age at which adolescent girls in a number of developing countries marry. Examples of such countries include Indonesia, Sri Lanka, Taiwan and Thailand.

## ● Health

- Pregnancy is consistently among the leading causes of death for girls aged 15 to 19 worldwide. Girls younger than 15 years are five times more likely to die in childbirth than women in their twenties. Their infants are more likely to be stillborn or die in the first month of life.

- Child brides face a higher risk of contracting HIV and other sexually transmitted diseases because they often married to older men who tend to have more sexual experience and sexual partners. Girls aged 15 – 19 are 2 to 6 times more likely to contract HIV than boys of the same age in sub-Saharan Africa, (ICRW 2007).<sup>16</sup>

- Maternal deaths related to pregnancy and childbirth are a major cause of mortality for girls aged 15–19 worldwide, accounting for 70,000 deaths each year.<sup>17</sup>

- If a mother is under the age of 18, the risk of the infant mortality within the first year of life is 60 percent greater than that of a mother older than 19 years.<sup>18</sup>

Girls involved in child marriage are often isolated from society by their husbands usually to prevent them from reporting physical and other forms of abuse. This control restricts their access to healthcare during pregnancy, information on family planning and resources required to take adequate care of themselves.

- In certain parts of Ghana, particularly in the three northern regions of Ghana, female genital mutilation and child marriages are linked. The procedure is often performed on girls during the puberty stage and they are then married off. Of women aged 15- 49 years, 41.1%, 27.8% and 2.8% in the Upper West, Upper East and Northern Regions respectively have undergone female genital mutilation (MICS 2011).

- More than 2 million adolescents in developing countries are living with fistulas, and there are 100,000 new cases each year.<sup>19</sup> Girls who are aged 10 –15 years are especially vulnerable because their pelvic bones are not ready for childbearing and delivery. Their risk for fistula is as high as 88%. Once a fistula is formed, faecal or urinary incontinence and peroneal nerve palsy may result in medical conditions. Unless the fistula is surgically repaired, these girls have limited chances of living a normal life and bearing children (Nour, M. N. 2005).<sup>20</sup>

## ● Religion

Contrary to widespread belief, Child Marriage is not associated with any particular religion in Ghana. Traditional and Islamic religions however have a slightly higher prevalence rates of 29.8% and 26.1% respectively; Catholic households have a prevalence of 24.4% (according to the MICS 2011).<sup>21</sup>

<sup>16</sup>ICRW 2007

<sup>17</sup>ibid

<sup>18</sup>ibid

<sup>19</sup>UNFPA (2013). State of The World's Population. <http://www.unfpa.org/sites/default/files/pub-pdf/EN-SWOP2013-final.pdf>

<sup>20</sup>Nour, M. N. (2006). Health Consequences of Child Marriage in Africa. *Emerging Infectious Diseases*; 12(11) pp. 1644 -1649. retrieved from <http://wwwnc.cdc.gov/eid/article/12/11/pdfs/06-0510.pdf>

<sup>21</sup>MICS 2011



## EFFECTS OF CHILD MARRIAGE

There are no known positive effects of Child Marriages. On the contrary, the negative effects tend to be divers and dire. Some of these are highlighted below;

Personal development of the child including schooling opportunities for career and vocational advancement are compromised.

Child Marriage places victims at increased risk of domestic violence and other health complications. It can also result in death due to early pregnancy and/or abuse.

Also, children born to child mothers are more susceptible to diseases and infant mortality than those born to mature women.

Child marriage can also impact negatively on the economy. Child marriages cut short the educational advancement of girls whilst the burden of child birth, child nurturing and home management give them little to engage in meaningful economic activities.

Child marriage does have a negative impact on the individual, the family, the community and the nation as a whole.

Though it may affect several sectors, the individual stands to suffer most at the hand of the practice.

A brief summary of the effects on the girl child includes:

- Loss of Education and Skills Development
- Maternal Mortality and Other Health Risks like HIV/AIDS, STDs contraction
- Isolation from support networks
- Vicious cycle of poverty
- Restricted social mobility/ freedom of movement
- Death resulting from physical abuse

Figure 3 : Effect of Child Marriage<sup>22</sup>



<sup>22</sup>Early and Forced Marriage & Gender Based Violence, Published by Women in Law and Development in Africa, Ghana (March, 2014)



## CHILD MARRIAGE AND THE LAW IN GHANA



In Ghana there are laws that protect and promote the rights of the child against all kinds of human rights violations. The Criminal Code (Act 29)<sup>23</sup>, criminalises acts that are directly or indirectly associated with child marriage. These include sections 88 (cruel customs and practices on bereaved spouses), 91 (abduction of a child), 97 to 108 (sexual offences), and 109 (compulsion of

marriage). The Children’s Act of Ghana, (Act 560) Sections 14 and 15, buttresses section 109 of the Criminal Code and classifies it as an offence to force a child to be betrothed, subjected to dowry transactions or to be married.

Specific provisions of the Children’s Act concerning human rights protection of the child:

### **Section 14 – Right to Refuse Betrothal and Marriage states that:**

- (1) No person shall force a child
  - a. To be betrothed
  - b. To be the subject of a dowry transaction or
  - c. To be married

The minimum age of marriage of whatever kind shall be eighteen 18 years.

### **Section 15 – Penalty**

Any person who contravenes the law commits an offence and is liable on summary conviction to a fine not exceeding GHC 500 or to a term of imprisonment not exceeding one year or to both.

## THE CONSTITUTION OF THE FORTH (4<sup>TH</sup>) REPUBLIC OF GHANA (1992)

### **Article 28**

- (4) No child shall be deprived by any other person of medical treatment, education or any other social or economic benefit by reason only of religious or other beliefs
- (5) For the purposes of this article, “child” means a person below the age of eighteen years.

## INTERNATIONAL LAWS ON CHILD MARRIAGE

On the global stage, International Conventions and Treaties are in place to promote child rights and protect children from human rights violations. Many of these International Conventions and Treaties have been ratified by countries including Ghana:

### **A. Universal Declaration of Human Rights (UDHR 1948)**

#### **Article 16**

- (1) Men and women of full age without any limitation due to race, nationality or religion have the right to marry and to found a family. They are entitled to equal rights as to marriage during marriage and at its dissolution.
- (2) Marriage shall be entered only with the free and full consent of the intending parties.

<sup>23</sup>Criminal Code, 1960 [http://www.vertic.org/media/National%20Legislation/Ghana/GH\\_Criminal\\_Procedure\\_Code.pdf](http://www.vertic.org/media/National%20Legislation/Ghana/GH_Criminal_Procedure_Code.pdf)

## **B. Convention on consent to marriage, minimum age for marriage and registration of marriage (1964)**

### **Article 1**

No marriage shall be legally entered into without the full and free consent of both parties, such consent to be expressed by them in person after due publicity and in the presence of the authority competent to solemnize the marriage and of witnesses as prescribed by law.

### **Article 2**

State parties to the present Convention shall take legislative action to specify a minimum age for marriage. No marriage shall be legally entered into by any person under this age, except where a competent authority has granted a dispensation as to age for serious reasons in the interest of the intending parties.

## **C. International Covenant on Civil and Political Rights (ICCPR)**

### **Article 23 (3)**

No marriage shall be entered into without the free and full consent of the intending spouses.

## **D. International Covenant on Economic Social and Cultural Rights (ICESCR) 1996**

### **Article 10 (1)**

Marriage must be entered into with the free consent of the intending parties.

## **E. Convention on the Elimination of all forms of Discrimination against Women (CEDAW) 1979**

### **Article 16**

(1) State parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women

(b) The same right freely to choose a spouse and to enter into marriage with their free and full consent.

(2) 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.

## **F. The Convention on the Rights of the Child (1989)**

### **Article 1**

A child means every human being below the age of eighteen years unless with the law applicable to the child majority is attained earlier.

### **Article 24 (3)**

States Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.

## G. Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa (2003)

### Article 6

State parties shall ensure that women and men enjoy equal rights and are regarded as equal partners in marriage. They shall enact appropriate national legislative measures to guarantee that:

- (a) No marriage shall take place without the free and full consent of the parties.
- (b) The minimum age of marriage for women shall be 18 years.

## H. African Charter on the Rights and Welfare of the Child 1990

### Article 21

Protection against Harmful Social and Cultural Practices

1. States Parties to the present Charter shall take all appropriate measures to eliminate harmful social and cultural practices affecting the welfare, dignity, normal growth and development of the child and in particular:

- (a) Those customs and practices prejudicial to the health or life of the child; and
- (b) Those customs and practices discriminatory to the child on the grounds of sex or other status.

2. Child marriage and the betrothal of girls and boys shall be prohibited and effective action, including legislation, shall be taken to specify the minimum age of marriage to be 18 years and make registration of all marriages in an official registry compulsory.

#### WHERE TO SEEK HELP:

1. Police - Domestic Violence and Victim Support Unit (DOVVSU)
2. Department of Social Development (DSD)
3. Domestic Violence Secretariat (DVS)
4. Community Child Protection Committees or District Child Protection Committees
5. Ministry of Local Government and Rural Development
6. Local Traditional Authorities (Chief/Queen Mother)
7. Commission on Human Rights and Administrative Justice (CHRAJ)
8. District Assembly
9. Gender Desk Office
10. District Girls' Education Unit Officers
11. Non-Governmental Organisations (NGO's)

#### ABBREVIATIONS IN THE FACT SHEET

- CEDAW Convention on the Elimination of all forms of Discrimination Against Women
- DHS Demographic Health Survey
- DOVVSU The Domestic Violence and Victim Support Unit
- DSW Department of Social Welfare
- HIV Human Immunodeficiency Virus
- ICCPR International Covenant on Civil and Political Rights
- ICESCR International Covenant on Economic Social and Cultural Rights
- ICRW International Center for Research on Women
- MICS Multiple Indicator Cluster Survey
- MoGCSP Ministry of Gender, Children and Social Protection
- STD's Sexually Transmitted Diseases
- UDHR Universal Declaration of Human Rights
- UN United Nations
- UNFPA United Nations Population Fund
- UNICEF United Nations Children's Fund



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



Canada

