



**ACERWC**  
African Committee of Experts on  
the Rights and Welfare of the Child

An Organ of the  
**African  
Union** 

# **Thematic Report of the African Committee of Experts on the Rights and Welfare of the Child on Harmful Practices Affecting Children in Africa**

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## FOREWORD

The African Committee on the Rights and Welfare of the Child hereby publishes the Thematic Report of the African Committee of Experts on the Rights and Welfare of the Child on Harmful Practices Affecting Children in Africa.

From the inception of the African human rights framework with the African Charter on Human and Peoples' Rights in 1981, and later the African Charter on the Rights and Welfare of the Child in 1990, the vision has always been to contextualise the promotion of human rights while upholding the positive cultural values of the continent. This vision made clear that harmful practices, even when justified by culture, could not be upheld.

For long, and across the continent, the fight against harmful practices is ongoing with various outcomes. But it can be observed that the scourge is still rampant. Why are the results not commensurate with the efforts invested? The need to understand the dynamics of the resistance of such harmful practices is at the core of this study for better aligning responses.

To this end, it provides a representative overview of the status of child marriage and FGM, taking stock of progress and challenges, evaluating legal and policy frameworks, and documenting best practices, with the aim of informing stronger, evidence-based action for the protection and promotion of children's rights in Africa. The analysis draws on ten selected countries from each of Africa's five regions, and is organised around nine indicators: criminalisation and prohibition; minimum age of marriage; customary, religious, and traditional laws; access to justice and legal empowerment; survivor-centred protection measures; prevention and awareness-raising; coordination and accountability Mechanisms; Data Collection and Research; and Budgeting and Resource Allocation.

The results reveal varied levels of implementation across these indicators. Whatever the context, what matters most is the urgent need for change. The current situation cannot stand. It is detrimental to the growth of our continent and the well-being of its people. How can we, as Africans, envision a bright future when the rights of the most vulnerable, our children, are tampered with? How can we hope to advance development while moving on one leg? How can we knowingly cripple ourselves by condoning discriminatory laws and practices that leave behind women and children?

The resolve to change should be adamant. This entails strong political will, clear policy direction, and strict legal provisions prohibiting harmful practices in our communities. It also demands coordinated action among

institutions with clearly defined mandates, that are well staffed, adequately resourced, and equipped to support victims and empower them.

We must not forget the importance of localisation and contextualisation, with meaningful participation from survivors and community leaders. Change is not an external commodity; to be sustainable, it must come from within. Change cannot be dictated, nor can it be achieved overnight. It is a continuous, sustained process that requires the contribution of each and every one.

May this study shed light not only on the critical loopholes but also on the best practices in the fight against harmful practices. I wish for it to inform policies on this important subject, and I hope such policies will be firmly anchored in the promotion of the human dignity of our children.

*ON EST D'ABORD INCONSCIEMMENT INCOMPETENT  
ON EST ENSUITE CONSCIEMMENT INCOMPETENT  
PUIS ON EST CONSCIEMMENT COMPETENT  
POUR DEVENIR ENFIN INCONSCIEMMENT COMPETENT*

*ON NE VA JAMAIS LOIN QUAND L'APPARENCE PREND LE PAS SUR LA SUBSTANCE*

*LA VIE N'EST PAS UNE LIGNE DROITE  
ELLE EVOLUE  
IL FAUT ETRE FIDELE A SES PRINCIPES ET SES VALEURS*

***Hon. Hermine Kembo Takam Gatsing***

***Special Rapporteur on Child Marriage and Other Harmful Practices***

## **ACKNOWLEDGEMENT**

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## EXECUTIVE SUMMARY

Harmful practices such as female genital mutilation (“FGM”) and child marriage continue to affect millions of children across Africa, violating their rights and compromising their health, safety, and development. While progress has been made in strengthening legal frameworks and political commitment across the continent, these harmful practices remain deeply entrenched. They are further exacerbated by intersecting crises, including conflict, displacement, climate change, pandemics, and backlash against gender equality, all of which contribute to weakening protective systems and increasing risks for girls.

This thematic report by the African Committee of Experts on the Rights and Welfare of the Child (“ACERWC”) takes stock of progress, identifies critical gaps, and highlights good practices and opportunities for enhanced collaboration. Anchored in the African Children’s Charter, the Maputo Protocol, and the Joint General Comments on harmful practices, the report analyses the regional landscape of FGM and child marriage through ten country case studies from each of Africa’s five regions.

The report finds that while many AU Member States have enacted legal bans on FGM and child marriage, enforcement remains inconsistent, with legal loopholes and customary law exceptions persisting in several jurisdictions. In some cases, survivors are inadvertently criminalised, and access to redress and support services remains limited, particularly in rural and crisis-affected areas. Cross-border FGM and the medicalisation of the practice remain under-addressed in many national laws. On child marriage, fewer than half of African countries have set a minimum marriage age of 18 without exceptions, and many lack comprehensive laws that address prevention, redress, and the rights of married children.

The report affirms that efforts to eliminate harmful practices must be reinforced through comprehensive legal reform, improved coordination among government sectors, sustainable financing, and strengthened accountability mechanisms. It underscores the importance of community engagement, locally led campaigns, and the empowerment of girls and young women as agents of change. It also highlights the need for better data collection and monitoring systems to drive policy and programme effectiveness.

The findings call for a renewed, strategic, and collaborative approach grounded in regional standards and tailored to local contexts. This includes harmonising laws, allocating adequate resources, building the capacity of duty-bearers, and scaling up promising practices. By prioritising cross-sectoral action, regional cooperation, and meaningful participation of girls and young people, Africa can accelerate progress toward eliminating FGM and child marriage and fulfil its commitment to uphold the rights and dignity of all children.

## KEY TERMINOLOGY

Term	Explanation
Child	A human being below 18 years of age, even if the majority is attained earlier under national law. <sup>1</sup>
Child marriage	A marriage in which either one of the parties, or both, is or was a child under the age of 18 at the time of union. <sup>2</sup>
Discrimination against women	Any distinction, exclusion or restriction, or any differential treatment based on sex and whose objectives or effects compromise or destroy the recognition, enjoyment, or the exercise by women, regardless of their marital status, of human rights and fundamental freedoms in all spheres of life. <sup>3</sup>
Female genital mutilation	The practice of partially or wholly removing the external female genitalia or otherwise injuring the female genital organs for non-medical or non-health reasons. <sup>4</sup>
Harmful practice	All behaviour, attitudes, and/or practices which negatively affect the fundamental rights of women and girls, such as their right to life, health, dignity, education, and physical integrity. <sup>5</sup>

1 African Charter on the Rights and Welfare of the Child (“African Children’s Charter”) (1990) (accessible [here](#)).

2 ACERWC & ACHPR, ‘Joint General Comment of the African Commission on Human and Peoples’ Rights (ACHPR) and the African Committee of Experts on the Rights and Welfare of the Child (“ACERWC”) on ending child marriage’ (2018) (“Joint General Comment on Child Marriage”) (accessible [here](#)).

3 Protocol to the African Charter on Human and People’s Rights on the Rights of Women in Africa (“Maputo Protocol”) (2005) (accessible [here](#)).

4 ACERWC & ACHPR, ‘Joint General Comment on Female Genital Mutilation’ (2023) (“Joint General Comment on FGM”) (accessible [here](#)) at para 6, drawing from CEDAW & CRC, ‘Joint general recommendation/general comment No. 31 of the Committee on the Elimination of Discrimination against Women and No. 18 of the Committee on the Rights of the Child on harmful practices’ CEDAW/C/GC/31-CRC/C/GC/18 (2014) (“Joint General Comment on FGM”) (accessible [here](#)) at para 18.

5 Maputo Protocol (above n 3).

## LIST OF ACRONYMS

Acronym	Term
ACERWC	African Committee of Experts on the Rights and Welfare of the Child
African Children's Charter	African Charter on the Rights and Welfare of the Child
AU	African Union
CAR	Central African Republic
CAT	Committee Against Torture
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CRC	Convention on the Rights of the Child
CSO	Civil Society Organisation
DRC	Democratic Republic of the Congo
EAC	East African Community
ECOWAS	Economic Community of West African States
EWS	Early Warning System
GBV	Gender-based violence
IDP	Internally Displaced Persons
IVR	Interactive Voice Recordings
Maputo Protocol	Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa
MTEF	Medium Term Expenditure Framework
OHCHR	Office of the United Nations High Commissioner for Human Rights
SADC	Southern African Development Community
SDGs	Sustainable Development Goals
SRHR	Sexual and Reproductive Health Rights
UNHRC	United Nations Human Rights Council
UNFPA	United Nations Population Fund
UNICEF	United Nations Children's Fund
UPR	Universal Periodic Review
WEF	World Economic Forum
WGFS	Women and Girls' Friendly Spaces
WHO	World Health Organization

## CHAPTER 1: INTRODUCTION

Harmful practices such as female genital mutilation (“FGM”) and child marriage continue to violate the rights of millions of children across Africa, undermining their health, development, and dignity. These human rights violations are worsened by armed conflict, displacement, climate change, humanitarian crises, the global pandemic, and a growing resistance to equality – all factors that have deepened vulnerabilities, disrupted protective systems, and reversed recent progress. Girls, in particular, bear the brunt of these intersecting crises, facing an increased risk of being subjected to child marriage or FGM.

Acknowledging the severity of these violations, African legal instruments such as the African Charter on the Rights and Welfare of the Child (“African Children’s Charter”) and the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa (“the Maputo Protocol”) explicitly prohibit FGM and child marriage. Both instruments set 18 as the minimum age of marriage without exception and call on State Parties to enact and enforce laws protecting children from harmful practices.<sup>6</sup> Over the years, many African Union (“AU”) Member States have made commendable strides, criminalising FGM, raising the legal age of marriage, launching national action plans, and engaging traditional and religious leaders through public awareness campaigns. At the regional level, initiatives such as the African Union Campaign to End Child Marriage and the Saleema Initiative launched in 2019 have played a key role in enhancing continental awareness and mobilising political commitment. While these efforts demonstrate the potential for change, they also highlight the complexity of translating law into lasting impact. This report explores that gap in depth, beginning with a snapshot of recent legislative milestones.

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6 Centre for Human Rights, ‘Report on Child Marriage’ (2018) (accessible [here](#)) at 10.

## Recent Legal Milestones in Combating Harmful Practices

*In recent years, several African countries have strengthened their legal frameworks to combat FGM and child marriage through new legislation, constitutional reform, and judicial decisions.<sup>7</sup>*

*In 2020, Sudan amended its criminal law to criminalise FGM,<sup>8</sup> and in 2024, the Galmudug State in Somalia enacted a specific law against FGM, followed by Jubaland State in 2025.<sup>9</sup> Africa continues to lead in legislative action, with over half of all anti-FGM laws globally (in countries with evidence of FGM being practised) originating from the 28 African countries with specific laws or provisions against FGM.<sup>10</sup>*

*Several countries have strengthened laws to prevent child marriage. In 2022, Zimbabwe enacted a new Marriage Act that prohibits marriage for individuals under 18 in all cases, including customary marriages.<sup>11</sup> In 2023, Uganda's Constitutional Court struck down provisions of customary and religious law that conflicted with the constitutional minimum age of marriage, reinforcing 18 as the legal minimum age.<sup>12</sup> The Marriage Bill 2024, which would give effect to this judgment, remains pending before the Ugandan Parliament. In 2024, Sierra Leone enacted the Prohibition of Child Marriage Act, setting the minimum age of marriage at 18 without exceptions.<sup>13</sup>*

*These legal reforms are encouraging examples of progress and political will. However, as explored in later chapters, legal change alone is not enough.<sup>14</sup> Strong enforcement, cultural shifts, and sustained community engagement remain critical to eliminating harmful practices.*

Despite decades of advocacy, legal reforms, regional campaigns, and notable success stories, these deeply entrenched practices persist across many parts of Africa, driven by sociocultural norms, economic vulnerabilities, and systemic gaps in protection and enforcement. The persistence of FGM and child marriage is often compounded by weak enforcement, lack of accountability, and challenges in access to justice for survivors. Many cases go unreported due to stigma, fear of retaliation, and limited survivor protections and support services, particularly in rural and conflict-affected regions. The resurgence of debates around decriminalising FGM in some countries further underscores the need for sustained vigilance and advocacy.

Accordingly, strategic and impactful efforts are required to ensure the full eradication of these violations and the realisation of children's rights across the continent. This requires not only legal and policy reforms but also robust enforcement mechanisms, community-driven interventions, and investment in education and social protection systems. Governments must also take proactive measures to challenge the social and cultural norms leading to these harmful practices, empower girls with knowledge and resources, and ensure that survivors receive the support they need.<sup>15</sup>

7 World Bank, *Compendium of International and National Legal Frameworks on Female Genital Mutilation*, 8<sup>th</sup> edition, Feb 2024, 221.

8 UNICEF, 'Sudan enters new era for girl rights with criminalization of FGM' (2020) (accessible [here](#)).

9 SIHA, 'Galmudug State of Somalia Outlaws Female Genital Mutilation, Marking a Historic Milestone' (2024) (accessible [here](#)); UNICEF, 'Breaking the Silence: Somalia's Legislative Journey to End Female Genital Mutilation' (2025) (accessible [here](#)).

10 Equality Now, The US End FGM/C Network & The End FGM European Network, 'The Time is Now: End Female Genital Mutilation/Cutting (FGM/C): An Urgent Need for Global Response – Five Year Update' (2025) (accessible [here](#)) at 27.

11 Marriage Act 1 of 2022 (accessible [here](#)) at section 3.

12 Aboneka Micheal & Kirya Martins v Attorney General (Constitutional Petition 35 of 2021) [2023] UGCC 112 (2023) (accessible [here](#)).

13 Prohibition of Child Marriage Act 5 of 2024 (accessible [here](#)).

14 Equality Now, 'How African governments can lead the way on ending child marriage' (2024) (accessible [here](#)).

15 Statement by the Special Rapporteur on the Rights of Women in Africa on the International Day of Zero Tolerance for Female Genital Mutilation (2025) (accessible [here](#)).

Recognising the need for evidence-based advocacy and coordinated action, the African Committee of Experts on the Rights and Welfare of the Child (“ACERWC”) has prepared this thematic report, focusing on FGM and child marriage. By analysing the legal and policy landscape, documenting good practices, and identifying gaps and opportunities, this thematic report aims to strengthen advocacy efforts, monitor progress, and foster collaboration among stakeholders. Through collective action and sustained commitment, Africa can move closer to a future where every child is free from violence, discrimination, and harmful practices that compromise their rights and potential.

## **Scope and objectives**

This thematic report provides a representative overview of the current status of FGM and child marriage. It examines the challenges to eliminating these practices and highlights progress made at national, regional, and continental levels. The report will serve as a key resource in supporting the ACERWC in its mandate to protect and promote children’s rights and to raise awareness of the impact of harmful practices and the effectiveness of initiatives aimed at their eradication. Specifically, the report:

Takes stock of the prevalence of FGM and child marriage and their impact and identifies emerging challenges that may hinder the elimination of these harmful practices.

Assesses existing legal and policy frameworks related to harmful practices and evaluates their alignment with the African Children’s Charter and the Maputo Protocol.

Evaluates the role of continental initiatives in addressing harmful practices and their impact.

Documents and analyses positive experiences and good practices among State Parties and other stakeholders in addressing harmful practices.

Provides recommendations to strengthen efforts to eliminate harmful practices and enhance the protection and promotion of children’s rights across Africa.

## **Methodology**

This study employs a mixed-methods, desk-based research approach, drawing on a range of primary and secondary data sources to provide an analysis of harmful practices, particularly FGM and child marriage, across Africa. The research integrates legal, policy, and demographic data with qualitative insights (where available) to examine trends, challenges, and progress in addressing these practices.

Primary data sources include official reports and legal frameworks, such as State Party Reports submitted to the ACERWC, Concluding Observations and Recommendations, national laws and policies, and regional

initiatives such as the AU Campaign to End Child Marriage and the Saleema Initiative on Eliminating Female Genital Mutilation (“Saleema Initiative”). Secondary sources, including academic research, UN agency reports, civil society publications, and demographic surveys, provide additional context and analysis. Quantitative data, drawn from reputable sources such as UNICEF, WHO, and national surveys, will offer insights into the prevalence of FGM and child marriage, while qualitative data from research reports, academic literature, and case studies will help illuminate the social, cultural, and legal dimensions of these practices.

To ensure a balanced and representative analysis, the research adopts a regional case-study approach, selecting the following countries from each of Africa’s five regions: Central, East, North, South, and West Africa as classified by the African Union. The selection process was guided by the following criteria:

**Prevalence of FGM and Child Marriage:** Countries with high prevalence rates of FGM and/or child marriage were prioritised to ensure the study reflects regions where these practices are most entrenched. Data from global and regional studies guided the selection process.

**Engagement with Regional and International Bodies:** Consideration was given to countries actively engaging with regional and international mechanisms. Indicators included reporting compliance, adoption of resolutions, and participation in relevant initiatives.

**Law Reform and Implementation:** The study will examine the legal landscape of the countries to ensure a combination of countries that have enacted and enforced legal frameworks addressing FGM and child marriage, and those that presently do not criminalise it, in order to assess the impact of legal frameworks as a response mechanism.

**Cases and Judicial Interventions:** Countries with landmark court cases or significant judicial interventions related to FGM and child marriage were considered to showcase the role of the judiciary in protecting children’s rights.

**Examples of Good Practices:** Countries that demonstrate notable efforts in implementing effective strategies, programmes, or policies to combat FGM and child marriage were also included. Examples include successful community engagement, innovative advocacy campaigns, or impactful law reform efforts.

Based on the above criteria, the following countries have been identified as country case studies for the thematic report:

<b>Region</b>	<b>Country</b>
<b>Central Africa</b>	Republic of Chad
	Republic of Cameroon
<b>East Africa</b>	Federal Democratic Republic of Ethiopia
	Federal Republic of Somalia
	Republic of Sudan
<b>North Africa</b>	Arab Republic of Egypt
<b>Southern Africa</b>	Republic of Malawi
	Republic of Zimbabwe
<b>West Africa</b>	Federal Republic of Nigeria
	Republic of Mali

## CHAPTER 2: TAKING STOCK: PREVALENCE, IMPACT, AND EMERGING CHALLENGES

### High-level overview of the current state of harmful practices

FGM and child marriage remain pervasive, harmful practices globally, with a significant concentration across Africa.<sup>16</sup> These harmful practices are deeply rooted in societal attitudes that regard women and girls as inferior to men and boys.<sup>17</sup> Grounded in discrimination on the basis of sex, gender, age, and other factors, these harmful practices are often justified under the guise of sociocultural and religious customs.<sup>18</sup> They continue to threaten and violate the fundamental rights of millions of girls and women. Assessing the prevalence of these harmful practices is, however, challenging. Accurate data on child marriage remains difficult to compile due to several factors, such as underreporting, unregistered marriages, and incomplete birth registration systems.<sup>19</sup> Likewise, FGM is frequently practised in secrecy, especially in contexts where it is legally prohibited, further obscuring accurate data collection. However, collating various sources, data points, and available estimates paints a stark picture of the scale of these harmful practices across the continent.

In 2024, UNICEF estimated that **230 million women and girls globally have undergone FGM**.<sup>20</sup> This marks a 15% increase from earlier estimates of 200 million.<sup>21</sup> This rise is attributed both to population growth in practising communities and the availability of new data from previously uncounted countries.

**Africa alone accounts for approximately 144 million of these cases (62%)**, underscoring the continent's centrality in global efforts to combat the practice.<sup>22</sup>

Child marriage, similarly, remains alarmingly prevalent. **Approximately 640 million women and girls alive today were married before the age of 18**, with 12 million girls married each year, equating to one girl married every three seconds.<sup>23</sup>

**Africa is home to about 127 million child brides**, and projections indicate that by 2050, nearly half of the global total of child brides will be African.<sup>24</sup>

While prevalence data provides a crucial understanding of the scale of harmful practices, numbers alone cannot capture the full picture. Behind every statistic lies a story of serious rights violations. The impacts of FGM and child marriage are profound, multidimensional, and enduring, violating a wide range of human rights and undermining the physical, psychological, and socio-economic well-being of women and girls.<sup>25</sup> At their core, both practices are rooted in systemic discrimination based on sex, gender, and age, upheld by

16 UNICEF, 'Female Genital Mutilation – A global concern' (2024) (accessible [here](#)); UNICEF, 'Is an end to child marriage within reach? Latest trends and future prospects' (2023) (accessible [here](#)).

17 Committee on the Elimination of Discrimination against Women & Committee on the Rights of the Child, 'Joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices' CEDAW/C/GC/31/Rev.1–CRC/C/GC/18/Rev.1 (accessible [here](#)) at para 6.

18 Id at para 7.

19 Centre for Human Rights (above n 6) at 19-20.

20 UNICEF, 'Female Genital Mutilation – A global concern' (above n 15) at 1.

21 Id.

22 Id at 2.

23 UNICEF, 'Child Marriage' (2022) (accessible [here](#)).

24 Equality Now, 'How African governments can lead the way on ending child marriage' (2024) (accessible [here](#)).

25 Statement by the Special Rapporteur (above n 14).

social norms, traditions, and power structures that perpetuate inequality.<sup>26</sup> They often occur without the full, free, and informed consent of the victim and are sustained by cultural or religious justifications that obscure their harmful consequences.

The United Nations Human Rights Council (“UNHRC”) has recognised that:

“female genital mutilation constitutes a grave human rights violation and abuse and a form of extreme violence against women and girls that is inherently linked to deep-rooted harmful stereotypes, negative social norms, perceptions and customs that jeopardize the recognition, enjoyment and exercise of their human rights and fundamental freedoms while posing a serious threat to their dignity, health and well-being”<sup>27</sup>

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26 Joint General Comment on Child Marriage (above n 2) and Joint General Comment on FGM (above n 4).

27 Human Rights Council, ‘Elimination of female genital mutilation’ A/HRC/RES/50/16 (2022) (accessible [here](#)).

## **The Right to Life and the Devastating Impact of FGM**

*FGM also poses a direct and devastating threat to the right to life.<sup>28</sup> The cases below reveal the deeply regrettable and irreversible harm caused by this practice and its direct threat to the right to life. These cases have been drawn from publicly available news reports and human rights monitoring sources. Where the names of the victims were reported, they have been included out of respect and acknowledgement of their lives and the profound loss suffered. Due to the sensitive and often underreported nature of FGM-related deaths, many more cases likely remain undocumented or anonymised.*

*In 2018, a ten-year-old girl, Deeqa Dahir Nuur, died of blood loss and tetanus, two days after undergoing FGM by a traditional circumciser in Somalia. Doctors advised that she likely contracted the infection from unsterilised instruments used during the procedure.<sup>29</sup> In 2021, 13-year-old Fartun Hassan Ahmed died after undergoing FGM at the hands of a traditional cutter and birth attendant in Somalia.<sup>30</sup> A few months later, in Sierra Leone, Maseray Sei, a 21-year-old mother, died from acute haemorrhage and shock after undergoing FGM.<sup>31</sup>*

*2024 marked a tragic year, with several FGM deaths reported across the continent. The tragic death of three girls was reported in Sierra Leone after being subjected to FGM as part of secret Bondo society initiations.<sup>32</sup> Kadiatu Bangura, 17 years old, died after a “forceful initiation.” Salamatu Jalloh, 13 years old, died from excessive bleeding, and Adamsay Sesay, 12 years old, also lost her life. The reports noted that these are not isolated instances and that the “true number is likely to be higher as deaths go unreported because of the secretive nature of the practice and fears of repercussions against those who speak out”.<sup>33</sup> A 34-year-old pregnant mother of three was forcibly subjected to FGM by her husband in Kenya. She bled to death from the injuries inflicted.<sup>34</sup> Napala Nangiro, a young Ugandan woman, died during labour after unknowingly being subjected to excision (a form of FGM) by a woman she believed was assisting with childbirth.<sup>35</sup> Emeterhire, a young woman in Delta State, Nigeria, died from complications linked to FGM that had been forced on her during childbirth.<sup>36</sup>*

*These tragic cases are not isolated. A 2023 study by the University of Birmingham estimates that 44,320 girls and young women die annually due to FGM in the 15 African countries studied where the practice is prevalent.<sup>37</sup> These figures suggest that FGM is one of the leading causes of death among girls in these settings.*

*These stories and these findings underscore that FGM is a gross human rights violation and can be a life-threatening practice.*

FGM has no health benefits but rather has immediate and long-term health and psychosocial risks.<sup>38</sup> Harmful practices such as FGM also extend beyond individual health, with social and economic dimensions.<sup>39</sup> Women and girls may face stigmatisation, barriers to education, and limited economic opportunities, perpetuating cycles of poverty and marginalisation.<sup>40</sup> The practice also reinforces harmful gender norms that curtail

28 Equality Now, ‘The Time is Now’ (above n 9) at 14.

29 K Hodal, ‘10-year-old girl bleeds to death after female genital mutilation in Somalia’ (2018) (accessible [here](#)).

30 H Abdurahman & L Davies, ‘Death of 13-year-old girl sparks calls for action on FGM in Somalia’ (2021) (accessible [here](#)).

31 E Akinwotu, ‘Death of young woman after FGM revives calls for ban in Sierra Leone’ (2021) (accessible [here](#)).

32 W Strzy y ska, ‘Three girls die after FGM rituals in Sierra Leone’ (2024) (accessible [here](#)); A Kef, ‘Police Investigate Forceful Initiation & FGM in 17 Year -Old’s Tragic Death’ (2024) (accessible [here](#)); A Kamara, ‘Family Demands Justice as FGM Practitioner Evades Charges Due to Language Error in Medical Report’ (2024) (accessible [here](#)).

33 Change.Org, ‘Criminalize female genital mutilation in Sierra Leone’ (2024) (accessible [here](#)); W Strzy y ska, ‘Three girls die after FGM rituals in Sierra Leone’ (2024) (accessible [here](#)); A Kef, ‘Police Investigate Forceful Initiation & FGM in 17 Year -Old’s Tragic Death’ (2024) (accessible [here](#)); A Kamara, ‘Family Demands Justice as FGM Practitioner Evades Charges Due to Language Error in Medical Report’ (2024) (accessible [here](#)).

34 The Star, ‘Pregnant woman dies after botched FGM in Keiyo’ (2024) (accessible [here](#)).

35 UNFPA, ‘Female genital mutilation leads to death in childbirth, a preventable tragedy Ugandan community members assert’ (2024) (accessible [here](#)).

36 The Nation, ‘Woman dies from forced female genital mutilation after childbirth’ (2024) (accessible [here](#)).

37 A Ghosh et al, ‘Estimating excess mortality due to female genital mutilation’ Scientific Reports (2023) (accessible [here](#)).

38 World Health Organisation, ‘Health risks of female genital mutilation’ (accessible [here](#)); E Tammary & K Manasai, ‘Mental and sexual health outcomes associated with FGM/C in Africa: a systematic narrative synthesis’ The Lancet (2023) (accessible [here](#)).

39 Orchid Project, ‘Impacts of FGM/C’ (accessible [here](#)).

40 Committee on the Elimination of Discrimination against Women & Committee on the Rights of the Child, ‘Joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices’ CEDAW/C/GC/31/Rev.1–CRC/C/GC/18/Rev.1 (accessible [here](#)) at paras 15 and 57.

women's autonomy and control over their bodies.

Child marriage similarly has devastating repercussions and violates a plethora of human rights.<sup>41</sup> It truncates childhood, forcing girls into adult roles for which they are unprepared. The Office of the United Nations High Commissioner for Human Rights ("OHCHR") affirms that child marriage:

*"threatens the lives and futures of girls and women around the world, robbing them of their agency to make decisions about their lives, disrupting their education, making them more vulnerable to violence, discrimination and abuse, and preventing their full participation in economic, political and social spheres."*<sup>42</sup>

Girls married young are often denied access to education, limiting their life opportunities and reinforcing dependency.<sup>43</sup> Child marriage exposes girls to heightened risks of gender-based violence, including intimate partner violence, sexual abuse, and exploitation.<sup>44</sup> Girls who are victims of child marriage are often unable to use or access contraception, and as such, child marriage is closely associated with early and frequent pregnancies, which elevate risks of maternal morbidity and mortality, as well as infant mortality.<sup>45</sup> Psychosocial impacts include feelings of powerlessness, low self-esteem, anxiety, depression, and in extreme cases, suicidal ideation.<sup>46</sup> Economically, child marriage often traps women and girls in cycles of poverty, precluding their full participation in society and hindering community and national development.<sup>47</sup>

Both FGM and child marriage are human rights violations and undermine rights to dignity, equality, education, health, and freedom from violence, among others, hindering agency and empowerment, and obstructs progress toward gender equality and sustainable development. However, and importantly, the impact of harmful practices is not uniform. Rather, it is shaped by intersecting factors such as gender, ethnicity, disability, socio-economic status, and geography.

### **Compounded vulnerability: An intersectional lens on FGM and child marriage**

Understanding the full impact of harmful practices requires an intersectional lens, one that reveals how discrimination and marginalisation compound for certain groups. While gender discrimination is a key driver, other factors such as ethnicity, disability, religion, geography, immigration status, and socio-economic status can significantly influence a girl's likelihood of being subjected to these harmful practices.<sup>48</sup> Within

41 OHCHR, 'Child and forced marriage, including in humanitarian settings' (accessible [here](#)).

42 Id.

43 Joint General Comment on Child Marriage (above n 2), Centre for Human Rights, 'Report on Child Marriage' (2018) (accessible [here](#)) at 41.

44 Report of the Secretary-General, 'Issue of child, early and forced marriage' A/79/308 (2024) (accessible [here](#)).

45 Id, and Centre for Human Rights, 'Report on Child Marriage' (2018) (accessible [here](#)).

46 Id.

47 Joint General Comment on Child Marriage (above n 2).

48 See ACERWC & ACHPR, 'Joint General Comment on FGM' (2023) (accessible [here](#)) at paras 14-16; UN Women, 'The value of intersectionality in

an intersectional framework, no single form of oppression is prioritised over another; rather, the unique and compounding ways in which multiple forms of discrimination operate must be recognised and addressed.<sup>49</sup> Moreover, intersectionality does not simply identify different forms of vulnerability; it reveals how these factors interact to create unique and often hidden layers of disadvantage.

### ***Understanding Intersectionality***

*Intersectionality is a framework for understanding how different aspects of a person's identity, such as gender, age, ethnicity, disability, religion, socio-economic status, and geography, interact to create unique experiences of discrimination or privilege.<sup>50</sup> Coined by legal scholar Kimberlé Crenshaw, intersectionality challenges the idea that systems of oppression operate in isolation.<sup>51</sup> Instead, it recognises that people may face overlapping and compounding barriers that shape their opportunities, rights, and access to protection. In the context of harmful practices like FGM and child marriage, intersectionality helps explain why some girls and young women are at greater risk than others.<sup>52</sup> For instance, while gender is a primary factor (because these practices predominantly or exclusively target girls), other aspects such as poverty, disability, or living in a conflict zone can heighten vulnerability.*

*Applying an intersectional lens helps to ensure that responses to harmful practices are not "one-size-fits-all" and are responsive to complex and overlapping forms of discrimination<sup>53</sup>*

Below are some examples of intersecting inequalities that heighten the risk of FGM and child marriage and/or compound the impact of the practices:

#### **• Poverty + Patriarchy**

Socio-economic status, coupled with patriarchal power, can impact the risk of both child marriage and FGM. A study of 12 African countries found that FGM decreased with wealth status, where wealthier women and girls were less likely to be subjected to FGM compared to those in lower socio-economic contexts.<sup>54</sup> In some communities, FGM marks the transition to womanhood and serves as a prerequisite for marriage. The practice is often justified as a way to control female sexuality, ensure "marriageability," and increase bride price.<sup>55</sup> Moreover, families may view child marriage as a means of economic survival.<sup>56</sup> Research on child marriage in Kenya suggests that "poverty and economic constraints play [a role] in promoting child marriage" as there is a correlation between the rates of child marriage and these socio-economic factors.<sup>57</sup>

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understanding violence against women' (2019) (accessible [here](#)); and Girls Not Brides, 'An Intersectional Approach to Child Marriage' (2022) (accessible [here](#)).

49 UN Women, 'The value of intersectionality in understanding violence against women' (2019) (accessible [here](#)).

50 UN Women, 'Intersectionality Resource Guide and Toolkit: An Intersectional Approach to Leave No One Behind' (2022) (accessible [here](#)).

51 K Crenshaw, 'Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics' (1989) University of Chicago Legal Forum 139 (accessible [here](#)); UN Women, 'The value of intersectionality in understanding violence against women' (2019) (accessible [here](#)).

52 Joint General Comment on FGM (above n 4) and Girls Not Brides, 'An Intersectional Approach to Child Marriage' (above n 47).

53 UNHCR & Plan International, 'Toolkit: Context analysis on child marriage in crises and forced displacement settings' (2024) (accessible [here](#)).

54 B Ahinkorah, 'Socio-economic and demographic determinants of female genital mutilation in sub-Saharan Africa: analysis of data from demographic and health surveys' (2020) Reproductive Health Journal (accessible [here](#)).

55 Girls Not Brides, 'An Intersectional Approach to Child Marriage' (above n 47).

56 Id.

57 E Thomas, 'Child Marriage in Kenya: An intersectional approach' (2023) (accessible [here](#)).

Economic strains may also hinder access to education for girls, which is considered a “protective factor against child marriage.”<sup>58</sup> In the Oromia region of Ethiopia, girls have turned to selling khat (a plant with stimulant properties) to generate income, sacrificing education and increasing potential vulnerability to child marriage.<sup>59</sup> Poverty further compounds the potential for eradication. At the continental level, improvements in eradicating child marriage appear to have occurred among the richest families, whereas there have been rising levels of child marriage among the poorest.<sup>60</sup> In some communities, high bride prices are glorified and celebrated, as was the case for a 14-year-old girl from South Sudan, who became known as the “most expensive bride in South Sudan,” attracting significant attention on social media.<sup>61</sup> This glorification and high bride price quantum reinforce the idea that child marriage can be a means to pull one’s family out of poverty, and resultantly places young girls in poor families at heightened risk.

- **Geography + Access to Services + Poverty + Ethnicity + Patriarchy**

Some ethnic or religious groups in rural areas may practice FGM or child marriage as a perceived cultural or moral obligation, increasing pressure on families and girls who are faced with community-specific pressures around identity, preservation, and patriarchal norms. Geography plays a critical role in shaping risk factors. In some countries like Senegal, Mauritania, Ethiopia, The Gambia, Mali, Tanzania, Togo, Benin, Burkina Faso, Chad, Ghana, Côte d’Ivoire, Nigeria, and Kenya, a stark divide between rural and urban areas places girls in rural areas at a heightened risk of FGM.<sup>62</sup> In Nigeria, ethnicity and religion significantly influence child marriage practices.<sup>63</sup> Differences in prevalence rates among ethnic groups across urban-rural divides reflect distinct traditional beliefs, cultural values, and social norms regarding gender roles, autonomy, and the perceived value of women and girls.

This is further compounded due to an exclusion from mainstream protection mechanisms or services. Rural areas often have weaker enforcement and limited access to services, while urban centres may be better equipped to mitigate risk and enable support pathways. Limited access to essential healthcare (including contraception, comprehensive education on sexual and reproductive health, and maternal healthcare) further exacerbates the issue. In many rural areas, young African people (aged 10 to 24) face significant barriers to accessing sexual and reproductive health services due to systemic inequalities and discrimination. As a result, adolescent pregnancy rates remain high, further reinforcing cycles of child marriage, as pregnancy

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58 N Jones et al, ‘Using feminist methodologies to explore female genital mutilation/cutting and child marriage in low- and middle-income contexts’ (2024) (accessible [here](#)).

59 Id.

60 UNICEF, ‘Is an end to child marriage within reach?’ (above n 15).

61 F Miettux, ‘A teenage bride wed for a record price: the ‘marriage competition’ that divided a nation’ (2024) (accessible [here](#)).

62 A Ayenew et al, ‘Prevalence of female genital mutilation and associated factors among daughters aged 0–14 years in sub-Saharan Africa: a multilevel analysis of recent demographic health surveys’ *Front Reprod Health* 12 (2023) (accessible [here](#)).

63 J Wale et al, ‘Ethnicity, religious affiliation and girl-child marriage: a cross-sectional study of nationally representative sample of female adolescents in Nigeria’ *BMC Public Health* 20 (2020) (accessible [here](#)).

is often used as a justification for early unions in communities where marriage is perceived as a safeguard against social stigma and economic insecurity.<sup>64</sup>

### • Disability + Patriarchy + Access to Services

The intersection of disability, patriarchy, poverty, and limited access to services may place girls with disabilities at heightened, but often overlooked, risk of certain harmful practices.<sup>65</sup> Notably, the Joint General Comment on Child Marriage has recognised that child marriage poses a threat to children with disabilities.<sup>66</sup> However, there is a notable absence of disaggregated data on disability in child marriage research, programme evaluations, and national data sets.<sup>67</sup> This evidence gap makes it difficult to determine the full extent of risk and impedes inclusive, evidence-based advocacy. However, the absence of data must not be interpreted as the absence of risk. On the contrary, the exclusion of girls with disabilities from research and data collection constitutes a form of marginalisation in itself, undermining their visibility in policy, programming, and protection efforts.<sup>68</sup>

Where data does exist, it suggests concerning trends. One study using nationally representative data from multiple countries found that women aged 20-24 with disabilities were more likely to have been married before the age of 18 compared to their peers without disabilities (54.4% vs 44.1%).<sup>69</sup> This suggests that there may be intersecting forms of discrimination, with research noting that harmful stereotypes that portray girls with disabilities as undesirable may paradoxically result in their early marriage, often seen by families as a means to reduce perceived burdens or to ensure long-term care in the absence of state support.<sup>70</sup> Girls with disabilities also face unique barriers to education, child protection systems, and sexual and reproductive health services, ranging from physical inaccessibility to discriminatory attitudes by service providers, making it even harder for them to assert agency or access alternatives.<sup>71</sup>

To effectively tackle harmful practices, States must prioritise inclusive approaches that account for the specific needs, barriers, and lived realities of girls with disabilities. This requires not only better data but also deliberate efforts to mainstream disability in legal frameworks, service delivery, and community-based interventions. Ending harmful practices must mean ending them for all girls, especially those who have been historically left behind. This aligns with the guidance from the Joint General Comment on Child Marriage, which calls on

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64 C Agu et al, 'Intersectionality analysis of young people's experiences and perceptions of discrimination in primary health centres in Ebonyi State, Southeast Nigeria' *International Journal for Equity in Health* 23 (2024) (accessible [here](#)) and Girls Not Brides, 'An Intersectional Approach to Child Marriage' (above n 47).

65 Girls Not Brides, 'An Intersectional Approach to Child Marriage' (above n 47).

66 Joint General Comment on Child Marriage (above n 2).

67 Hivos, 'Ending Child Marriages Among Girls With Disabilities - A Case Study of Deaf Women Included (DWI) Zimbabwe' (2022) (accessible [here](#)).

68 Id.

69 S Kanselaar et al, 'Exploring Disability as a Determinant of Girl Child Marriage in Fragile States: A Multicounty Analysis' *Journal of Adolescent Health* (2023) (accessible [here](#)).

70 Hivos (above n 66).

71 Id.

states to integrate disability considerations into legislation, data systems, and national strategies.<sup>72</sup> There is specific mention of the need to ensure that children with disabilities can access necessary services.

- **Displacement / Conflict + Poverty + Patriarchy**

When social structures are disrupted, such as in times of conflict and displacement settings, harmful practices can be used as a means to respond to economic hardship and misguided efforts to accede to societal pressures. Equality Now explains, “[w]here instability and insecurity prevail, the prevalence of FGM often intensifies, exacerbated by factors such as displacement, poverty, and breakdown of social systems.”<sup>73</sup> Refugees and internally displaced girls face heightened risks of both child marriage and FGM due to the interruptions of protective social structures, increased poverty, and limited access to legal protections.<sup>74</sup> Similarly, as illustrated in the context of Syrian refugee families in Jordan, the interplay of displacement, poverty, and patriarchal norms has contributed to increased rates of child marriage.<sup>75</sup>

Community leaders described how limited access to the labour market and the uncertainty of return to Syria made secondary education unaffordable for many. Even where schooling is possible, concerns about preserving family honour deter parents from allowing girls to travel to school. In this context, child marriage is often seen as a pragmatic choice, providing perceived protection and economic security for girls where few viable alternatives exist.<sup>76</sup> This example illustrates how multiple intersecting factors: gender, displacement, and economic marginalisation combine to heighten girls’ vulnerability to harmful practices, and can be applied to understand these intersections in the African context. Displacement, climate change and humanitarian crises will be addressed further below under emerging challenges.

In taking stock of the impact of harmful practices, it is critical to adopt an intersectional lens, one that recognises the diverse and overlapping forms of discrimination that shape the experiences of girls at risk. This approach has been explicitly embraced in African human rights frameworks, including the Joint General Comment on FGM by the ACHPR and the ACERWC.<sup>77</sup> It is also reflected more broadly in the African Children’s Charter, which affirms the indivisibility and interdependence of rights.<sup>78</sup> The Joint General Comment emphasises that duty bearers must be mindful of how multiple identities interact to compound risk and shape the effectiveness of interventions. It calls for targeted, lifecycle-sensitive, and group-specific responses that respond to the particular vulnerabilities of girls and women in different contexts. While the Joint General Comment on

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72 Joint General Comment on Child Marriage (above n 2).

73 P Ayang, ‘Female Genital Mutilation Continues Amid Sudan’s Conflict and Forced Displacement’ Equality Now (2024) (accessible [here](#)).

74 ACERWC & ACHPR, ‘Joint General Comment on FGM’ (2023) (accessible [here](#)) at paras 14-16.

75 N Jones (above n 57).

76 Id.

77 Joint General Comment on FGM (above n 4).

78 African Children’s Charter (above n 1).

Child Marriage does not expressly mention intersectionality, it calls for a comprehensive approach which recognises overlapping forms of exclusion, inequality, and marginalisation.

## Emerging trends and challenges

Understanding the evolving landscape of harmful practices in Africa requires a critical examination of the shifting global and regional environment. The persistence, and in some cases, resurgence, of these practices is not occurring in isolation. Rather, they are being shaped, sustained, and intensified by multiple emerging challenges. The lingering effects of the COVID-19 pandemic, economic instability, armed conflicts, and climate emergencies are weakening protective systems and deepening inequalities.<sup>79</sup> Africa, along with the rest of the world, is experiencing a “polycrisis,” where overlapping economic, social, and political shocks are deepening uncertainty, fuelling discord, and exacerbating inequality and vulnerability to harm.<sup>80</sup> This polycrisis is threatening children’s rights and widening gender disparities in access to sexual and reproductive health and rights, education, economic opportunities, and political participation, while also amplifying the risks of harmful practices.<sup>81</sup>

Amid these overlapping global disruptions, progress toward the eradication of FGM and child marriage is under threat. As economic hardship deepens and environmental and geopolitical shocks displace communities, the protective frameworks that shield children and uphold their rights are weakened or dismantled. Families, often operating in conditions of scarcity, may resort to harmful coping strategies, including child marriage or subjecting girls to FGM, as perceived solutions to insecurity or economic burden.<sup>82</sup> At the same time, regressive gender ideologies and a global pushback against women’s rights are hardening resistance to reform.<sup>83</sup> The recent funding crisis in the humanitarian and development sectors is further limiting the reach of programmes aimed at prevention, protection, and accountability.<sup>84</sup>

There are also emerging considerations around the role of technology as both a threat and an ally in the context of FGM and child marriage.<sup>85</sup> To effectively address harmful practices in this shifting context, responses must be informed by a nuanced understanding of these evolving threats, their intersections, and their impact

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79 UN Women, ‘Government Responses to COVID-19’ Lessons on gender equality for a world in turmoil’ (2022) (accessible [here](#)); World Bank, ‘Increase gender equality in fragile, conflict, and violence settings’ (2022) (accessible [here](#)).

80 UNFPA-UNICEF Joint Programme on the Elimination of Female Genital Mutilation, ‘Reimagining Resilience: Eliminating Female Genital Mutilation in the Context of the Polycrisis’ (2022) (accessible [here](#)).

81 Id, and CRC & ACERWC, ‘Joint statement of the UN Committee on the Rights of the Child and the ACERWC on the Day of the African Child’ (2024) (accessible [here](#)).

82 B Ahinkorah (above n 53).

83 Global Platform for Action to End FGM/C, ‘Submission to the United Nations Secretary-General’s Report on “Intensifying global efforts for the elimination of female genital mutilation”’ (2024) (accessible [here](#)).

84 Geneva Global Hub for Education in Emergencies, ‘Funding cuts threaten education in crisis contexts, with nearly one quarter of a billion school-aged children needing support’ (2025) (accessible [here](#)); OCHA, ‘“This is not a drill” – Aid cuts risk costing lives’ (2025) (accessible [here](#)).

85 UNFPA-UNICEF Global Programme to End Child Marriage, ‘Review of technology-based interventions to address child marriage and female genital mutilation’ (2023) (accessible [here](#)).

on gender justice and child protection. Below are some examples of these emerging challenges and their intersection with FGM and child marriage. While these challenges are presented as distinct categories, their impacts are deeply interwoven. Climate shocks often exacerbate economic instability; economic hardship can fuel displacement and conflict; and all of these factors intersect to deepen gender inequality and amplify the drivers of harmful practices.

### ***Being responsive to changing contexts in Ethiopia***

*In the face of crises and shifting challenges, innovative approaches and flexible strategies have proven essential in continuing critical programs and services. In 2021, during the COVID-19 pandemic, the UNFPA-UNICEF Joint Programme on the Elimination of FGM in Ethiopia adapted to the challenges of restricted movement and social distancing by utilising mobile phone-based interactive voice recordings (IVR) to provide refresher training for facilitators working with out-of-school girls. Over 6,000 adolescent girls from eight regions participated actively in life skills training and information sessions delivered through pre-recorded voice messages. These girls not only received weekly content addressing FGM and guidance on facilitating peer discussions about harmful practices, but also co-designed the content and provided feedback through baseline, midline, and endline surveys. This shift from direct community outreach to IVR allowed the Joint Programme to reach remote communities, target the most vulnerable girls, including those out of school, and reduce the risk of FGM, all while empowering girls with continued access to information. This success illustrates the importance of quick, innovative thinking, the power of technology, and the value of forging partnerships, as seen with the collaboration with the communication company VIAMO.<sup>86</sup>*

*Ethiopia's significant internally displaced persons ("IDP") population faces multiple challenges, including high rates of early marriage and FGM, particularly in the Afar region. In response, the Joint Programme established Women and Girls Friendly Spaces ("WGFS"), which offer a safe environment for women and girls affected by conflict and climate-related shocks. These spaces provide weekly sessions addressing FGM, early marriage, rape, and other forms of sexual violence, which became more prevalent after the Northern conflict. By January 2023, UNFPA had supported 17 WGFS across conflict and drought-affected regions, reaching nearly 5,000 women and girls with integrated GBV and SRHR services, as well as skill-building activities. The spaces include child-friendly environments, secure reporting systems, and trained facilitators offering counselling, play opportunities, and social network rebuilding. These initiatives demonstrate a comprehensive, responsive approach to the multiple needs of women and girls in crisis situations.<sup>87</sup>*

## **Geopolitical instability, conflict, and fragile humanitarian contexts**

The 2025 World Economic Forum ("WEF") Global Risk Report ranks state-based armed conflict as the most material crisis on a global scale in 2025, with geoeconomic confrontation ranked third.<sup>88</sup> In its recent report on FGM, UNICEF affirmed that a "substantial overlap is seen between countries in which female genital mutilation is most common and those classified as conflict-affected or experiencing institutional and social fragility."<sup>89</sup> UNICEF has also confirmed that "the prevalence of child marriage in fragile states is twice the global average."<sup>90</sup>

Conflict-affected and fragile settings often create conditions in which harmful practices are more likely

86 UNFPA and UNICEF Joint Programme on the Elimination of Female Genital Mutilation, 'The Illustrative Cases of Implementation of the Humanitarian-Development-Peace Nexus Approach in Female Genital Mutilation Programmes' (2024) (accessible [here](#)).

87 Id.

88 WEF, 'Global Risks Report' (2025) (accessible [here](#)).

89 UNICEF, 'Female Genital Mutilation – A global concern' (above n 15).

90 UNICEF, 'Is an end to child marriage within reach?' (above n 15).

to occur.<sup>91</sup> In Sudan, despite the legal ban on FGM in 2020, ongoing conflict and governance breakdown have perpetuated the practice, exacerbating gender-based violence and undermining women's rights.<sup>92</sup> The breakdown of family, social, and legal networks, coupled with real or perceived risks of sexual violence and concerns over family honour, often compels families in conflict situations to marry off daughters at an early age.<sup>93</sup> Owing to the increased "complex interplay of economic hardship, weakened social structures and increased vulnerability resulting from displacement and insecurity" during conflict periods, the UN Secretary-General has recognised child marriage as a form of conflict-related sexual violence.<sup>94</sup>

Humanitarian settings also bring new dynamics. Displacement may expose families to unfamiliar social norms or place women and girls in atypical roles, which can have both protective and harmful implications.<sup>95</sup> Meanwhile, education and healthcare systems, critical for preventing harmful practices, are often the first to collapse. Community surveillance mechanisms and support services that identify girls at risk also become fragmented or non-functional.<sup>96</sup> These dynamics are unfolding amidst a global humanitarian funding crisis. The erosion of donor support has left essential protection interventions under-resourced.<sup>97</sup> In such settings, harmful practices may increase unchecked.

## Impact of climate change

Extreme weather events rank second on the WEF Global Risk Report, with the recognition that climate change is also an underlying driver of several other risks that rank high, such as involuntary migration and displacement.<sup>98</sup> There is emerging evidence that there is a correlation between climate-related stressors and the rise in harmful practices. Research highlights a direct correlation between climate-related risks and child marriage.<sup>99</sup> A 10% decrease in rainfall is associated with a 1% increase in child marriage rates.<sup>100</sup> The link between environmental shocks and economic strain appears to be a trigger for harmful practices, as families resort to these practices as economic survival mechanisms.<sup>101</sup> In Djibouti and Somalia, climate-related economic pressure caused families to initiate FGM at a younger age to increase marriageability in an effort to lessen household poverty.<sup>102</sup> Drought conditions in the Horn of Africa, for example, have led to a

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91 ACERWC, 'Continental Study on the Impact of Conflict and Crises on Children in Africa' (2022) (accessible [here](#)).

92 Equality Now, 'Female Genital Mutilation Continues Amid Sudan's Conflict and Forced Displacement' (2024) (accessible [here](#)).

93 Report of the United Nations High Commissioner for Human Rights, 'Child, early and forced marriage in humanitarian settings' A/HRC/41/19 (2019) (accessible [here](#)) at para 8.

94 Report of the Secretary-General, 'Issue of child, early and forced marriage' A/79/308 (2024) (accessible [here](#)) at para 24.

95 UNICEF-UNFPA, 'Workshop on the toolbox on female genital mutilation and the humanitarian development nexus' (2024) (accessible [here](#)).

96 Id.

97 WEF (above n 87).

98 Id.

99 ACERWC, 'Climate Change & Children's Rights In Africa: A Continental Study' (2024) (accessible [here](#)).

100 Id.

101 Report of the Secretary-General, 'Issue of child, early and forced marriage' A/79/308 (2024) (accessible [here](#)) at paras 32-33.

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doubling of child marriage rates within a year as families struggle with food insecurity and poverty. Research further indicates that climate shocks lead to spikes in gender-based violence.<sup>103</sup>

Environmental shocks often erode social and economic structures that previously offered some protection. In Ethiopia, Kenya, and Somalia, the number of children at risk of dropping out of school has tripled, leaving adolescent girls at greater risk of FGM and child marriage.<sup>104</sup> Climate change also leads to disruptions in services and school closures that may influence FGM risks, as these spaces are pivotal for monitoring and reporting cases.<sup>105</sup> Child marriage is not only a consequence but also a driver of food insecurity and malnutrition, further entrenching cycles of poverty and gender inequality. Women and girls who marry early are more likely to experience higher rates of anaemia and malnutrition, with their children facing increased risks of low birth weight, poor nutrition, and stunting.<sup>106</sup> There are also counterintuitive trends worth noting. In Ethiopia, drought was reported in some areas as a factor delaying child marriage, as families could not afford to host wedding ceremonies.<sup>107</sup> However, such delays are typically driven by financial constraints rather than a shift in harmful norms.

### **Societal tensions, polarising narratives, and inequality**

Societal polarisation and inequality remain significant global risks, consistently ranking among the top 10 in the WEF's Global Risk Report.<sup>108</sup> These dynamics are increasingly undermining human rights and eroding hard-won gains in gender equality, in turn, threatening progress toward eliminating harmful practices such as FGM and child marriage. Resistance to raising the minimum age of marriage, alongside laws that criminalise consensual adolescent sexuality, limits girls' autonomy and access to justice. In conservative contexts, these setbacks reinforce harmful social norms that control girls' sexuality under the pretext of maintaining family honour. Legislative and policy barriers, combined with restrictive societal attitudes, continue to hinder efforts to eliminate these harmful practices.<sup>109</sup> The current global backlash against gender rights was starkly illustrated by recent events in The Gambia, where religious leaders and parliamentarians pushed to repeal the country's anti-FGM law.<sup>110</sup> If successful, this could have triggered a domino effect in the region, threatening progress on both FGM and child marriage. While the National Assembly upheld the ban in July 2024, the issues remain live with online litigation pertaining to pivotal questions around The Gambia's legislative responses to FGM.<sup>111</sup>

103 ACERWC, 'Climate Change & Children's Rights in Africa' (above n 98).

104 UNICEF, 'Child marriage on the rise in Horn of Africa as drought crisis intensifies' (2022) (accessible [here](#)).

105 UNICEF-UNFPA, 'Reimagining Resilience' (above n 79).

106 Report of the Secretary-General, 'Issue of child, early and forced marriage' A/79/308 (2024) (accessible [here](#)) at paras 32-33,

107 Girls Not Brides, 'Child Marriage in Humanitarian Contexts' (2020) (accessible [here](#)).

108 WEF (above n 87).

109 Report of the Secretary-General, 'Issue of child, early and forced marriage' A/79/308 (2024) (accessible [here](#)) at para 27.

110 ACHPR & ACERWC, 'Expression of Concern by the ACHPR and the ACERWC over the Ongoing Debate on FGM and the proposed Women's (Amendment) Bill 2024 in Gambia' (2024) (accessible [here](#)); Equality Now, 'What's happening with the FGM law in the Gambia?' (2024) (accessible [here](#)).

111 N Bass, 'Supreme Court Has Jurisdiction to Hear Anti-FGM Challenge, says Lawyer Darboe' The Voice (2025) (accessible [here](#)).

### ***Standing Strong Against Backlash: The Gambia's United Front for Women's Rights<sup>112</sup>***

*In response to the developments in The Gambia, a powerful show of resistance emerged. In 2024, during the 79th Ordinary Session of the ACHPR, a high-level Roundtable was convened and united influential women leaders, survivors, religious and traditional authorities, and civil society actors. Participants overwhelmingly rejected the repeal, amplifying survivor voices and reaffirming that harmful practices must not be masked as cultural or religious obligations. A 45-day action plan and long-term strategy were launched to counter the pushback. This moment marked a critical reminder: even in the face of regression, solidarity and collective leadership can push back against the pushback, and reaffirm a continent-wide commitment to the rights and dignity of women and girls.*

Rising authoritarianism and military takeovers have also stifled momentum toward ending harmful practices. The withdrawal of countries like Mali, Burkina Faso, and Niger from ECOWAS and other regional mechanisms has further reduced accountability and limited civil society's ability to advocate for change.<sup>113</sup> The dismantling and renaming of gender machinery, such as the replacement of Senegal's Ministry of Women and Children with the Ministry of Families and Solidarities, also signals a troubling deprioritisation of girls' rights and undermines national efforts to address FGM.<sup>114</sup> Support for FGM from religious leaders is further compounding the pushback on gender equality. For example, in 2024, a 2024 Fatwa by the Ethiopian Islamic Affairs Supreme Council declaring FGM an obligatory religious practice sparked alarm, as it contradicts national laws and international human rights standards, and lacks grounding in religious texts.<sup>115</sup>

In some contexts, in response to criminalisation and public condemnation, different strategies are being employed to legitimise FGM. Some communities have advocated for shifting the practice into clinical settings, where health professionals perform FGM under the pretence of making it "safer." For example, "medicalisation," is being used where health professionals perform FGM under the guise of harm reduction. This trend, particularly evident in Egypt and Sudan, legitimises the practice while diluting its recognition as a human rights violation.<sup>116</sup> While legislation in countries like Egypt prohibits FGM and its medicalisation, its persistence in practice reflects a dangerous convergence of social resistance and institutional complicity, where economic, religious, and cultural interests align to sustain deeply harmful norms.

### **The role of technology**

Digital technologies and social media have emerged as powerful tools in global efforts to end child marriage

112 ACHPR, 'Joint Press Statement: Roundtable On The Proposed Repeal Of FGM Law In The Gambia And Pushback On Women's Rights And Gender Equality' (2024) (accessible [here](#)).

113 Global Platform for Action to End FGM/C (above n 82).

114 Id.

115 African Women of Faith Network, 'Press Statement: African Women of Faith Network Condemns Female Genital Mutilation (FGM)' (2024) (accessible [here](#)).

116 UNICEF, 'Female genital mutilation in the Middle East and North Africa' (2020) (accessible [here](#)) at 9.

and FGM.<sup>117</sup> Social media platforms such as X, Facebook, and YouTube offer unprecedented access to global audiences, enabling anti-FGM and child marriage activists to amplify their messages, share survivor stories, and challenge harmful norms.<sup>118</sup> Hashtag campaigns like #Unite2EndFGM have mobilised public opinion, supported digital education efforts, and enabled dialogue across generations and communities.<sup>119</sup> Interactive online modules, AI-powered interventions, and chatbots are also being explored to deliver comprehensive sexuality education, identify high-risk regions, and support at-risk girls.<sup>120</sup> These innovations present real potential to scale interventions quickly and reach those previously beyond the scope of traditional outreach.

However, the use of digital technologies is not without risks. While specific documented cases of technology being used to perpetuate harmful practices are limited, anecdotal evidence and ongoing research suggest there may be a cause for concern. Anecdotal evidence suggests that encrypted messaging platforms are being used in countries like Kenya to organise secret or underground FGM ceremonies. Since the criminalisation of FGM in Kenya, concerns have arisen that FGM is increasingly practised in secret.<sup>121</sup> The clandestine nature of such practices makes them challenging to track, however, it is unsurprising that digital tools are being used to organise in the shadows. A more blatant misuse of technology was illustrated in 2018 in South Sudan, when a teenage girl was auctioned as a bride via Facebook.<sup>122</sup> The post attracted bids from several individuals, including government officials, and remained online for 15 days before being removed. By then, the girl had already been married off, highlighting how social media platforms can be exploited to perpetuate child marriage. While there is limited evidence, ongoing efforts indicate there is a need to be acutely aware of the role of technology and digital spaces (both the positive and the negative) when it comes to harmful practices. For example, UNFPA is looking to conduct research on the misuse of technology to facilitate child marriage.<sup>123</sup> Walk Free are beginning to track how online spaces may be used to perpetuate modern slavery, including forced and child marriages.<sup>124</sup>

Harmful practices remain deeply rooted across Africa, driven by a complex interplay of gender inequality, cultural traditions, economic pressures, and social norms. Intersectional factors, including gender, ethnicity, disability, and geography, further shape individuals' vulnerability, underscoring the need for targeted, context-specific interventions. While progress has been made in addressing these practices, emerging trends pose new challenges. These challenges require not only global vigilance but also context-specific interventions

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117 UNICEF, 'Review of technology-based interventions to address child marriage and female genital mutilation' (2023) (accessible [here](#)); Girls Not Brides, 'The digital divide and child marriage: what's the connection? Reflections from The National Women's Conference on Inclusion, Nigeria' (2023) (accessible [here](#)); Plan International, 'Using digital technology to end child, early and forced marriage and reduce adolescent pregnancy' (2021) (accessible [here](#)).

118 C Julios, 'Female Genital Mutilation and Social Media' (2019) (accessible [here](#)).

119 I Bankole, 'Harnessing technology to combat Female Genital Mutilation in Africa' (2025) (accessible [here](#)).

120 Id.

121 D Parsitau, 'How outlawing female genital mutilation in Kenya has driven it underground and led to its medicalization' (2018) (accessible [here](#)).

122 E Meixler, "'Beyond Belief' Facebook Under Fire After a Child Bride Was Auctioned in South Sudan' (2018) (accessible [here](#)); B Britton, 'Facebook under fire for posts on auction of child bride' (2018) (accessible [here](#)).

123 UNFPA, 'Consultant to conduct research on the misuse of technology to facilitate child marriage' (2025) (accessible [here](#)).

124 Girls Not Brides, 'Social media - modern slavery and child marriage' (accessible [here](#)).

that are grounded in local realities. Chapter 3 turns to assess how select individual countries are responding to harmful practices, taking into account the progress, setbacks, and innovations shaping the fight to end harmful practices across Africa.

## CHAPTER 3: ASSESSING NATIONAL EFFORTS TO END FGM AND CHILD MARRIAGE

### The checklist

This chapter assesses the extent to which the select AU Member States have aligned their legal and policy frameworks and responses to harmful practices with the African Children’s Charter and the Maputo Protocol. In doing so, this chapter draws on the Joint General Comments of the ACHPR and the ACERWC on child marriage and FGM. The Joint General Comments provide useful clarity and elaboration on the nature of the rights set out in the African Children’s Charter and the Maputo Protocol and set out clear, actionable guidance for States.<sup>125</sup> To support the assessment, a checklist has been developed to synthesise the critical components that national laws and policies must address to effectively combat FGM and child marriage, in line with the Joint General Comments. At its core, this framework is designed to support assessing whether national responses are comprehensive, coordinated, and sustainable, considering, among others, the strength and clarity of legal frameworks, the extent of survivor protection and support services, and the effectiveness of justice and accountability mechanisms.

Legal and Justice Mechanisms	1. Criminalisation and Prohibition	<ul style="list-style-type: none"> <li>• Explicitly prohibit FGM &amp; child marriage</li> <li>• Criminalise all forms of FGM, including medicalised FGM</li> <li>• Penalise facilitators and cross-border practices</li> </ul>
	2. Minimum Age of Marriage	<ul style="list-style-type: none"> <li>• Set 18 as the minimum age with no exceptions</li> <li>• Ensure mandatory birth &amp; marriage registration</li> </ul>
	3. Customary, Religious, and Traditional Laws	<ul style="list-style-type: none"> <li>• Legislative measures that prohibit child marriage must take precedence over customary, religious, and traditional laws</li> <li>• National laws override any religious, cultural or social justifications for FGM</li> </ul>
	4. Access to Justice and Legal Empowerment	<ul style="list-style-type: none"> <li>• Create child-friendly justice mechanisms</li> <li>• Provide legal aid and promote legal literacy</li> </ul>

Support, Advocacy, and Awareness	5. Survivor-Centred Protection Measures	<ul style="list-style-type: none"> <li>• Access to legal, health, and psychosocial services for survivors and girls at risk</li> <li>• Reparation measures, such as access to citizenship, land and property rights, access to education for survivors of child marriage, and access to compensation/civil actions for survivors of both FGM and child marriage</li> <li>• Child-sensitive procedures, shelters, and hotlines</li> </ul>
	6. Prevention and Awareness-Raising	<ul style="list-style-type: none"> <li>• Community education, Sexual and Reproductive Health Rights (SRHR) curricula in schools</li> <li>• Promote the role of men, religious and traditional leaders in prevention efforts</li> </ul>
	7. Coordination and Accountability Mechanisms	<ul style="list-style-type: none"> <li>• Establish coordination bodies &amp; cross-sector collaboration</li> <li>• Implement M&amp;E systems with regular reporting</li> </ul>
Administrative Efforts	8. Data Collection and Research	<ul style="list-style-type: none"> <li>• Collect disaggregated data on prevalence &amp; impact</li> <li>• Support research for evidence-based policy</li> </ul>
	9. Budgeting and Resource Allocation	<ul style="list-style-type: none"> <li>• Secure sustainable funding for implementation</li> <li>• Prioritise capacity-building for duty-bearers</li> </ul>

## Overview of key legislative and protection gaps relating to harmful practices

Despite progress in addressing FGM and child marriage across Africa, critical protection gaps remain. Of the 27 African countries with national-level prevalence data on FGM, four countries (Liberia, Mali, Sierra Leone, and Somalia) still lack specific national legislation banning the practice.<sup>126</sup> Concerningly, recent efforts to pass anti-FGM laws are continuing to face resistance in some of these countries. In Mali, a provision prohibiting FGM was dropped at the last minute from the 2024 Penal Code Amendment Bill before its adoption.<sup>127</sup> Similarly, the ACERWC and ACHPR have raised urgent concerns about attempts in Sierra Leone to remove anti-FGM FGM from the Child Rights Act (Bill), 2024.<sup>128</sup>

Even in countries with FGM laws, gaps persist, including limited accountability to prevent medicalised FGM and inadequate legal provisions to address cross-border FGM. Only a few countries, like Kenya, Uganda and Guinea-Bissau, explicitly criminalise cross-border FGM.<sup>129</sup> There is also a concerning trend of the

126 Equality Now, The US End FGM/C Network & The End FGM European Network, 'The Time is Now: End Female Genital Mutilation/Cutting (FGM/C): An Urgent Need for Global Response – Five Year Update' (2025) (accessible [here](#)). Somalia's Constitution prohibits circumcision of girls, though this is not accompanied by a criminal law applicable at the national level. As noted in Chapter 1 above, Galmudug and Jubaland states have recently passed state-level laws against FGM.

127 Equality Now, 'Statement by Equality Now on the Rights and Welfare of the Child' (2025) (accessible [here](#)).

128 ACERWC and ACHPR Joint Statement on the Upcoming Reading of the Child Rights Act Sierra Leone (2025) (accessible [here](#)).

129 Report of the Office of the United Nations High Commissioner for Human Rights, 'Cross-Border and Transnational female genital mutilation' (2024) (accessible [here](#)).

misuse of anti-FGM laws to prosecute survivors of FGM, as seen in Kenya for example,<sup>130</sup> despite a clear recommendation in the Joint General Comment on FGM that State Parties must ensure that the framing of the law does not expose victims of FGM to prosecution, as this risks unfairly criminalising people who are already victims.<sup>131</sup>

On child marriage, a 2023 analysis by the WORLD Policy Analysis Center found that just 18 of 50 African countries set a minimum age of 18 for girls without exceptions. Common loopholes include:<sup>132</sup>

- exceptions that allow marriage below the age of 18 with parental or judicial consent;
- exceptions which exclude marriages under religious and customary laws from the minimum age of marriage requirements; and
- discriminatory laws which set different ages of marriage for girls and boys.

Further, despite progress in some countries in raising the minimum age of marriage, there are far fewer countries which have put in place comprehensive laws and policies which also include prevention and redress measures; and ensure protection of rights of survivors of child marriage, such as rights to leave the marriage, as well as rights to inheritance, property and citizenship.

Weak enforcement, lengthy judicial processes, and low prosecution and conviction rates further undermine legal protections for both FGM and child marriage. In Kenya where child marriage is prohibited with no exception, child marriage cases are often prosecuted in courts as defilement cases due to the ease of collecting evidence relating to sexual violence as opposed to child marriage.<sup>133</sup> Resource constraints and entrenched gender norms also hinder prevention and response efforts. In countries with specific legislation criminalising FGM, lack of resource allocation towards the capacity building of state actors responsible for implementing these laws greatly impacts the prosecution and conviction of FGM cases. Barriers to accessing education for girls at risk of child marriage, as well as pregnant and married girls, both in policy and practice, are also restricting efforts to eliminate child marriage.

Finally, a lack of updated, disaggregated data on FGM and child marriage harms efforts to implement data-driven programmes and policies. One example of a data gap is the lack of research or evidence available on the practice of FGM in countries where it is known to be practised by small ethnic communities or by migrant populations (apart from the 27 countries with national prevalence data). For instance, in Southern Africa, there is anecdotal evidence of FGM being practised by certain communities in Malawi, Zambia, Zimbabwe

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130 Clooney Foundation for Justice, *Monitoring Prosecutions under the Prohibition of FGM Act in Kenya* (2025) (accessible [here](#)).

131 Joint General Comment on FGM (above n 4), para 37.

132 WORLD Policy Analysis Center, 'When all Exceptions are Taken into Account, What is the Minimum Age of Marriage for Girls?' (2023) (accessible [here](#)). Since May 2023, Zambia and Sierra Leone have also passed laws raising the minimum age of marriage to 18 without exceptions.

133 See for example, *JM v Republic* (Criminal Appeal E007 of 2023) [2024] KEHC 4214 (KLR) (18 March 2024) (Judgment) (accessible [here](#)).

and South Africa, but lack of data and awareness means that there are little to no efforts towards addressing FGM in these countries.<sup>134</sup>

## Assessments of selected focus countries

### Central Africa

#### Regional snapshot

Central Africa has one of the continent's highest prevalence rates of both child marriage and FGM. The region is home to several countries with some of the highest child marriage prevalence globally,<sup>135</sup> and where child marriage remains deeply entrenched within their society.<sup>136</sup> The Democratic Republic of the Congo (DRC) is home to over 7 million child brides, with nearly three in 10 young women married before the age of 18.<sup>137</sup> In the Central African Republic (CAR), the situation is even more severe, with three in five young women married in childhood, representing over 747,000 child brides.<sup>138</sup> In the Republic of the Congo, one in four young women were married as children, accounting for over 421,000 girls and women.<sup>139</sup> The FGM rates remain high in parts of Central Africa. According to UNICEF, 42% of girls and women aged 15-49 in Chad and 22% in CAR have undergone FGM.<sup>140</sup> The persistence of these harmful practices is compounded by worsening humanitarian situations, conflict, displacement, and weak protective frameworks<sup>141</sup>

### Republic of Cameroon ("Cameroon")

FGM and child marriage remain prevalent in Cameroon, particularly in the East, Far North, North, Adamawa, and South-West regions.<sup>142</sup> Despite government commitments and advocacy efforts, economic incentives led many to resume FGM clandestinely.<sup>143</sup> While prevalence remains lower than in neighbouring countries, FGM rates appear to increase during times of crisis. For example, during the pandemic, in Kousseri, FGM rose from 2% in 2015 to 10% in 2020.<sup>144</sup> Cameroon is home to over 2 million child brides, with three in 10 marrying in childhood.<sup>145</sup> Approximately 13.4% of girls are married by age 15, and 38.4% by age 18.<sup>146</sup> Gaps in birth registration, affecting one in three children, further enable underage marriage, as proof of age is often absent.<sup>147</sup>

134 Equality Now, The US End FGM/C Network & The End FGM European Network, 'The Time is Now: End Female Genital Mutilation/Cutting (FGM/C): An Urgent Need for Global Response – Five Year Update' (2025) (accessible [here](#)).

135 African Union, 'Accountability Framework on the Elimination of Harmful Practices' (2022) (accessible [here](#)) at 8.

136 UNICEF, 'Child Marriage in West and Central Africa' (2022) (accessible [here](#)).

137 Id.

138 Id.

139 Id.

140 UNICEF, 'Female Genital Mutilation – A global concern' (above n 15).

141 UNICEF, 'Child Marriage in West and Central Africa' (above n 135).

142 S Mutola et al, 'The Fight against Female Genital Mutilation/Cutting among the Ejaghams of Cameroon: Kinks in the Legal Approach and Implications for Public Health Practice' National Library of Medicine (2021) (accessible [here](#)).

143 Cameroon Human Rights Commission, 'Statement: Partnership with Men and Boys to Transform Social and Gender Norms to End Female Genital Mutilation' (2023) (accessible [here](#)).

144 The Advocates for Human Rights, 'Stakeholder Report for the United Nations Universal Periodic Review' (2023) (accessible [here](#)).

145 UNICEF, 'Child Marriage in West and Central Africa' (above n 135).

146 Centre for Human Rights (above n 6).

147 UNICEF, 'Children are at great risk of all forms of violence in Cameroon and need urgent protection' (2022) (accessible [here](#)).

## Legal and Justice Mechanisms

Cameroon's response to harmful practices is hampered by inconsistent legal standards. The minimum legal age for marriage is not uniformly set at 18 for all individuals, and while birth and marriage registration are legally required to verify age and monitor compliance, implementation, particularly in rural areas, remains weak.<sup>148</sup>

The Penal Code<sup>149</sup> prohibits and criminalises FGM,<sup>150</sup> with penalties from 10 to 20 years or life imprisonment for severe cases.<sup>151</sup> Heavier penalties apply when the victim is below 15 years of age.<sup>152</sup> However, contradictory provisions undermine enforcement. For example, the Penal Code provides that these prohibitions are not applicable where FGM is performed by a qualified person in order to save a life,<sup>153</sup> or when "professional services" are performed with the consent of the patient or the guardians,<sup>154</sup> potentially justifying FGM under medicalised settings.

In terms of child marriage, while the Penal Code criminalise the marriage of a person below 18 ( Section 352), the 1981 Civil Status Registration Ordinance allows for girls to marry at 15 and boys at 18, with presidential waivers for "serious reasons".<sup>155</sup> The Penal Code prohibits forced marriage for those under 18, punishable by at least two years' imprisonment.<sup>156</sup> Legal inconsistencies and gaps may contribute to Cameroon's high child marriage rates:

- The Penal Code only applies where marriage is compelled by another person, without defining "compulsion," resulting in a lack of clear or adequate protection.
- Contradictory age thresholds between the Penal Code and Civil Status Order create legal ambiguity.
- The law permits marriage for girls over 15 and includes a presidential waiver for younger girls, contrary to Cameroon's international obligations.

The CRC Committee has urged Cameroon to revise the laws to ensure that the marriage age is set at 18 for both girls and boys.<sup>157</sup>

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148 UNICEF, 'Cameroon' (accessible [here](#)).

149 Law No. 2016/007 of 12 July 2016 Relating to the Penal Code (accessible [here](#)).

150 Section 277-1 of the Penal Code states that "[w]hoever mutilates the genital organ of a person, by any means whatsoever, shall be punished with the penalties provided for in Section 277 above."

151 Id at section 277.

152 Id at section 350.

153 Id at section 227-1(4).

154 Id at section 286.

155 The 1981 Civil Status Registration, amended 2001 (accessible [here](#)) at Article 52(1).

156 Law No. 2016/007 (above n 138) at section 356.

157 CRC Committee, 'Concluding observations on the combined third to fifth periodic reports of Cameroon' CRC/C/CMR/CO/3-5 (2017) (accessible [here](#)).

### **Judicial responses – degrees of accountability**

*Several unreported cases illustrate some progress as well as some limitations. In one case, a 17-year-old girl was forced to marry a 57-year-old man. The marriage was conducted in violation of Cameroonian law, which requires a civil marriage document before a religious ceremony. The individuals involved received suspended three-year prison sentences and fines.<sup>158</sup> In another case, a 10-year-old girl was forced to marry as a debt repayment. Authorities intervened to rescue her, placing her in a child welfare institution while prosecuting the case.<sup>159</sup> An additional case involved a 15-year-old girl, who was abducted after being forced to marry. Upon her return, both her father and the abductor were arrested and sentenced to two years' imprisonment (suspended for three years) and fined.<sup>160</sup> These cases show that families and community actors are being held accountable, at least to some degree. However, the use of suspended sentences in serious cases involving child marriage raises concerns about the robustness and deterrent effect of the judicial response. Lenient penalties may undermine the gravity of the harm suffered and send mixed signals about the consequences of violating girls' rights.*

Notwithstanding some judicial efforts, Cameroon faces challenges in ensuring access to justice and legal protection for survivors of FGM and child marriage. Child-friendly legal structures are limited, and barriers such as cost, stigma, and geographic inaccessibility prevent many from pursuing legal remedies.<sup>161</sup> A joint study between the government and UNFPA highlighted regional disparities in service quality. Legal support remains the least available, with survivors often turning to family first, who may discourage reporting.<sup>162</sup>

The National Strategy to End GBV (2022–2026) aims to provide a comprehensive response, including healthcare, mental health services, legal assistance, and economic support. However, uptake remains low, with CSOs offering legal aid and psychosocial support, as the government's role remains underdeveloped.<sup>163</sup> In crisis-affected areas, the justice system is particularly under-resourced and lacks qualified personnel.<sup>164</sup>

Religious and customary law also continue to influence marriage practices, frequently undermining statutory protections.<sup>165</sup> While some traditional and religious leaders have signed public pledges to end child marriage and FGM, enforcement remains inconsistent. Among some Muslim communities, child marriage is defended through religious interpretations.<sup>166</sup> Similarly, the Ejagham in the South-West resist legal reforms on FGM, viewing it as essential to identity and morality.<sup>167</sup>

158 First Instance Tribunal of Tignère, Judgment No. 107/COR of July 3, 2018, MP v. Haman Moule, Harouna Oumarou, Alhadji Saliou Bah Pettel (Forced Marriage, Complicity in Forced Marriage, and Celebration of Forced Marriage, Unreported Case).

159 High Court of Manyu, Judgment on Suit No. 018/021 of December 14, 2022, The People and Ezah Deborah v. Acha Columbus and Apah Sylvie Echan, (Unreported Case).

160 First Instance Tribunal of Tignère, Judgment No. 139/COR of November 3, 2020, MP and Aminatou Saliou v. Salihou Hamandjoda, Hamadou Maouloudou (Illegal Immigration and Stay, Forced Marriage (Defendant 1), Illegal Immigration and Stay, Child Abduction (Defendant 2), Unreported Case).

161 UNICEF, 'Child protection' (2022) (accessible [here](#)).

162 UNFPA Cameroon and Ministry of Women Empowerment and the Family, 'Voices from Cameroon 2023' (2024) (accessible [here](#)).

163 OHCHR, 'Organisation of African Youth Cameroon' (accessible [here](#)).

164 AFFADA et al, 'Submission for the Universal Periodic Review of Cameroon Women and girls' rights in crises areas' (2023) (accessible [here](#)).

165 OHCHR (above n 162).

166 Centre for Human Rights (above n 6).

167 S Mutola (above n 141).

## Support, Advocacy, and Awareness

At its 2023 Universal Periodic Review (“UPR”), Cameroon highlighted efforts under its National Gender Policy NGP to combat FGM, child marriage, and gender-based violence.<sup>168</sup> While there have been efforts to develop strategic frameworks, implementation has progressed slowly.<sup>169</sup> UNFPA has noted that the “chronic underfunding” needs to be addressed in order to properly implement the policies and strategies.<sup>170</sup>

Cameroon has made several formal commitments, including the validation of the National Strategy to Combat GBV (2022–2026), the National Action Plan to Eliminate FGM (2022–2026),<sup>171</sup> signing a joint statement at the Human Rights Council, along with UPR commitments to intensify campaigns and strengthen national policy frameworks against child marriage.<sup>172</sup> However, challenges persist. FGM is more prevalent in rural areas and among refugee populations, and many strategies continue to take a top-down approach with minimal community ownership.<sup>173</sup>

### **Strategic Moments for Action<sup>174</sup>**

*On the margins of the Africa Women’s Cup of Nations (AFCON), the Government of Cameroon officially launched its national campaign to End Child Marriage under the theme: “Together, Against the Marriage of Young Girls.” Leveraging the visibility of the football tournament, the campaign mobilised national attention to the issue of child marriage. In collaboration with the African Union Commission, UNICEF, and others, the launch featured advocacy efforts to galvanise support and promote continental engagement. This moment represented an important convergence of sport, activism, and political will to protect the rights of girls across the country.*

Community-centred trust-building initiatives remain a more sustainable approach to changing attitudes and practices. In crisis-affected regions, child marriage is exacerbated by insecurity, displacement, and lack of access to education.<sup>175</sup> While CSOs remain on the frontlines, stronger state involvement and alignment with international law are essential to achieving systemic change. Despite policy progress, implementation gaps and fragmented coordination continue to enable the persistence of these harmful practices.

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168 Id.

169 UNFPA Cameroon and Ministry of Women Empowerment and the Family (above n 162).

170 Id.

171 Cameroon Human Rights Commission, ‘Statement: Partnership with Men and Boys to Transform Social and Gender Norms to End Female Genital Mutilation’ (2023) (accessible [here](#)).

172 Id.

173 AFFADA (above n 163).

174 African Union, ‘The Republic of Cameroon Launches the AU Campaign to End Child Marriage in Africa on the Margins of the 2016 AFCON Women Football Competition’ (2016) (accessible [here](#)).

175 Id.

### **Community Engagement to Shift the Narrative<sup>176</sup>**

*An 18-year-old girl from North-West Cameroon, married at 15 after undergoing FGM at 13, shared her story with NGO Mother of Hope Cameroon, explaining that girls in her community are made to believe their sole purpose is to please men and bear children. Mother of Hope Cameroon initiated a sensitisation tour across rural communities. These campaigns include focus group discussions with men, women, youth, and local leaders to understand the social drivers of harmful practices. The sessions address the physical and psychological harms of FGM and aim to debunk myths about female sexuality and cultural expectations. So far, the initiative has reached over 10 communities in the North-West Region.*

### **Administrative Efforts**

In 2024, with the support of UNICEF and its partners, Cameroon became the sixth country in West and Central Africa to adopt the Child Protection Case Management Information System, a secure database for managing child protection cases, monitoring vulnerable children, and supporting family reunification efforts.<sup>177</sup> The Human Rights Commission of Cameroon has also commended ongoing efforts to implement integrated GBV survivor management systems.<sup>178</sup> These efforts aim to enhance service delivery, raise awareness of reproductive health and GBV prevention, and address harmful traditional practices within both formal and informal educational settings. Notwithstanding these efforts, Cameroon's data infrastructure on FGM and child marriage, and more broadly, GBV is notably limited. Sustainable funding also remains a concern, as does the capacity-building of law enforcement officers, judicial authorities, and health professionals. Information regarding Cameroon's budgetary commitments to combating FGM, child marriage, and GBV is scarce.<sup>179</sup>

### **Republic of Chad ("Chad")**

Conflict, displacement, droughts and floods occasioned by climate change are prevalent in Chad.<sup>180</sup> According to UNFPA, "the child marriage trend has been growing over the last three decades"; and while FGM has decreased, rates remain high.<sup>181</sup> Approximately 34% of women aged 15-49 in Chad have experienced FGM.<sup>182</sup> Chad has one of the highest rates of child marriage globally, with 60% of women aged 20-24 married before the age of 18.<sup>183</sup> These practices are rooted in social norms, gender inequality, and the weak enforcement of protective laws. While Chad has made legislative reforms, gaps persist in implementation, resource allocation, and community-level engagement. Additionally, the enactment of legislative responses may, to some extent, be contributing to the facilitation of "underground" FGM practices and has also led to

176 MenEngage, 'A grass-roots intervention to end FGM in North-West Cameroon' (2020) (accessible [here](#)).

177 UNICEF, 'Child Marriage in West and Central Africa' (2022) (accessible [here](#)).

178 Cameroon Human Rights Commission, 'Statement: Partnership with Men and Boys to Transform Social and Gender Norms to End Female Genital Mutilation' (2023) (accessible [here](#)).

179 UNFPA, 'Towards Zero Gender-based Violence and Harmful Practices in West and Central Africa' (2024) (accessible [here](#)).

180 UNFPA, 'Country programme document for Chad' (2023) (accessible [here](#)).

181 Id.

182 UNICEF, 'Female Genital Mutilation – A global concern' (above n 15) and UNICEF, 'Harmful Practices in Chad' (2022) (accessible [here](#)).

183 Girls not Brides, 'Chad' (accessible [here](#)).

an increase in FGM practices among girls at a younger age.<sup>184</sup> In 2024, media reports noted concern over the spread of FGM in refugee camps in Chad, where FGM rates appear higher.<sup>185</sup>

## Legal and Policy Framework

Chad's Constitution obliges the State to ensure equality before the law without distinction of sex or gender, and that the State must "ensure the elimination of all forms of discrimination with regard to women and assure the protection of their rights in all domains of private and public life."<sup>186</sup> Article 18 prohibits degrading and humiliating acts or treatment, and torture.<sup>187</sup> While this provision provides general protection to women and children against harmful practices, the Constitution does not specifically prohibit child marriage or FGM, nor does it have a specific provision which offers protection to children. However, Chad has enacted important legal reforms to address harmful practices.

The Reproductive Health Act No. 06/PR/2002, read together with its implementing decree,<sup>188</sup> prohibits FGM.<sup>189</sup> Article 9 of the Reproductive Health Act prohibits all forms of violence, including FGM and early marriage.<sup>190</sup> Article 18 further criminalises non-compliance with the Act and imposes penalties that range from five months to five years of imprisonment and fines of 100,000 to 500,000 CFA francs. It also penalises all individuals who engage in or facilitate these acts, including perpetrators, facilitators, and those "aiding or abetting". Additionally, Chad's Penal Code of 1967 has a broad prohibition on violence, which may be read to prohibit FGM. Specifically, Article 252 criminalises the intentional hurting, wounding or commission of violence against another person, while Article 254 criminalises the infliction of wounds against children. Chad's Penal Code, following amendments in 2015, increased the age of marriage to 18 for both boys and girls.<sup>191</sup>

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184 28 Too Many, 'Chad: The Law and FGM' (2018) (accessible [here](#)) at page 6; 28 Too Many, 'Chad' (2023) (accessible [here](#)) at 4.

185 Z Salih, 'Women's rights groups fear FGM is rife among Sudanese refugees in Chad' (2024) (accessible [here](#)).

186 The Constitution of Chad, 1996 (as translated by The Constitute Project) (accessible [here](#)) at Article 14.

187 Id at Article 18.

188 No. 2121/PR/2020.

189 Freedom House, 'Chad' (2024) (accessible [here](#)); US State, 'Human Rights Report' (2023) (accessible [here](#)).

190 Thomson Reuters Foundation and 28TooMany, 'Chad: The Law and FGM' (2018) (accessible [here](#)) at 3.

191 Girls Not Brides, 'Chad' (accessible [here](#)).

### **Political will and strategic champions to enable law reform**

*In 2015, Chad reformed its Penal Code to raise the legal age of marriage to 18, reinforcing its commitment to end child marriage.<sup>192</sup> The 2015 ordinance, promulgated by President Idriss Deby Itno, criminalised forced child marriage and holds perpetrators, including civil, religious, or traditional authorities, accountable with prison terms of five to 10 years and fines up to CFA 5 million (USD 10,000). Driving this reform was strong political will, underpinned by the advocacy of First Lady Hinda Deby Itno, who championed a nationwide campaign to end child marriage and has been referred to as the godmother of the campaign.<sup>193</sup> She emphasised community engagement, awareness-raising, and legal enforcement as key pillars for success. The revised Penal Code was hailed as “modern” and reflective of both national customs and Chad’s international obligations.<sup>194</sup>*

It appears that while there are some legal protections in place for victims of FGM and child marriage, they are not effectively enforced.<sup>195</sup> This may be due to the pervasive discrimination that women face in society,<sup>196</sup> which may discourage reporting and prosecution. Even when charged, it appears that courts rarely punish those who violate the prohibitions on child marriage and FGM.<sup>197</sup> These challenges are reflected in the lack of access to documented case law which addresses FGM and child marriage in the country. Survivors of child marriage and FGM appear to have access to legal, health, and psychosocial services, including rehabilitation and legal assistance. Organisations such as CELIAF play a key role in filing complaints and supporting survivors.<sup>198</sup>

### **Support, Advocacy, and Awareness**

In 2023, Chad submitted its National Report to the UN Human Rights Council Working Group on the UPR.<sup>199</sup> Here, Chad’s recent efforts to address the causes of child marriage and FGM, as well as measures taken to ensure access to justice for victims, were set out. Chad has adopted several action plans that are aimed at protecting children’s rights, including:<sup>200</sup>

An interim child justice strategy in 2016;

A sectoral policy for the justice system in Chad, covering the period 2018–2027; and

A road map for combating FGM and child marriage, covering the period 2019–2021.

While these plans mark improvement in the country’s international commitments, there is no up-to-date plan

192 I Akwei, ‘Chad raises legal marriage age to 18, abrogates death penalty’ (2015) (accessible [here](#)).

193 UNFPA, ‘Chad: National Campaign to End Child Marriage Takes off’ (2015) (accessible [here](#)).

194 Id.

195 Freedom House, ‘Chad’ (2024) (accessible [here](#)).

196 Id.

197 Id.

198 See Girls Not Brides, ‘Cellule de Liaison des Associations Féminines (CELIAF)’ (accessible [here](#)).

199 Girls not Brides, ‘Chad’ (accessible [here](#)).

200 Id at para 97, see also UNICEF, Harmful practices in Chad from 2014 to 2022’ (2022) (accessible [here](#)).

regarding FGM and child marriage, specifically which may be used by the State to plan for the current period and the future. With the exception of the sectoral policy for the justice system, which has a wide scope for the whole of the justice system, the above plans have expired.

In its 2022 report on harmful practices in Chad, UNICEF indicated several child protection measures implemented by Chad. These included training the police and judiciary on child rights and protection.<sup>201</sup> In 2021, the Transitional Military Council introduced a toll-free hotline (116) to report violence against children. The Ministry of Women, Family, and Child Protection created an interministerial coordination framework for child protection in 2019, while child protection committees were established at provincial, departmental, and cantonal levels to implement referral mechanisms for victims. Care services for child victims have been strengthened, with psychosocial, medical, and legal support provided. In the Mandoul province, 55 girls and women have benefited from reconstructive surgery.

### ***Grassroots Advocacy Challenges Harmful Practices in Chad<sup>202</sup>***

*As part of the global “16 Days of Activism Against Gender-Based Violence,” activists across Chad intensified efforts to end harmful traditional practices, including child marriage and FGM. Central to the campaign is engagement with clerics and traditional leaders, influential figures in shaping community norms and practices. Women’s rights defenders are using the platform to spotlight the scale of GBV in the country, particularly in conflict-affected regions where child marriage is reportedly on the rise. Claudine, a survivor of sexual violence and spokesperson for the Association of Chad’s Indigenous Women, noted that nearly 80 girls were forced into early marriages by their families. Activists are calling for cultural transformation, improved protection mechanisms, and greater accountability, emphasising that community awareness and the leadership of traditional and religious authorities are key to dismantling entrenched harmful norms. Through grassroots advocacy and survivor-led mobilisation, Chadian women are amplifying their voices to demand justice, safety, and dignity for all.*

## **Administrative efforts**

Data on GBV, child marriage, and FGM in Chad is available through various sources, including UNFPA and UNICEF reports. These data sources provide insight into the prevalence and impact of these practices. However, there is limited government data. Information regarding Chad’s budgetary commitments to combating GBV, child marriage, and FGM is limited. While international partners have provided funding and support for related programmes, there is a lack of transparent reporting on national resource allocation for these issues. The absence of dedicated budget lines and sustainable funding mechanisms can hinder the implementation and scalability of interventions aimed at protecting women’s and children’s rights.

201 UNICEF, Harmful practices in Chad from 2014 to 2022’ (2022) (accessible [here](#)).

202 M Kindzeka, ‘Chad activists fight violence against women’ (2024) (accessible [here](#)).

**Regional snapshot**

West Africa continues to face high rates of child marriage and FGM, threatening the health, rights, and futures of millions of girls. The region is home to some of the world's highest child marriage rates, with the Republic of Niger reporting that three in four girls are married in childhood, amounting to nearly five million child brides.<sup>203</sup> Nigeria, the most populous country in the region, records a child marriage prevalence of 76%, while Burkina Faso reports one in two girls married as children, totalling nearly three million.<sup>204</sup> The Republic of Benin and the Republic of Senegal each have over one million child brides, with one in three young women affected.<sup>205</sup> In the Republic of Côte d'Ivoire, one in four girls marry before age 18, and the Republic of Ghana counts over two million child brides, or one in five young women.<sup>206</sup> FGM remains entrenched in countries like the Republic of Guinea, where an estimated 95% of women have undergone the practice.<sup>207</sup> In the Republic of The Gambia, it is estimated that nearly three-quarters of women between the ages of 15-49 have undergone FGM.<sup>208</sup> There are, however, signs of progress. In 2024, Sierra Leone adopted a landmark law banning child marriage, welcomed as a milestone by civil society and international partners.<sup>209</sup> Additionally, activists in Sierra Leone are engaging both domestic courts and regional mechanisms such as the ECOWAS Court of Justice to seek accountability and redress in the fight against FGM.<sup>210</sup> Further, as noted above, The Gambia is grappling with ongoing tensions over the country's FGM laws.<sup>211</sup>

**Federal Republic of Nigeria ("Nigeria")**

Approximately 15% of girls have been subjected to FGM, with an increase in recent years.<sup>212</sup> The prevalence of child marriage is highly prevalent, with Nigeria ranking third in the world – 44% of girls marry before the age of 18.<sup>213</sup> It is estimated that 22 million child brides live in Nigeria.<sup>214</sup> Reports indicate that FGM continues to be widely practised despite its criminalisation. According to the Nigeria Multiple Indicator Cluster Survey (2016-2017), 25.3% of girls aged 0-14 have undergone FGM, and there are concerns that prevalence may be rising.<sup>215</sup> The Nigeria Demographic and Health Survey (2018) found that FGM rates are highest in the South East (35%) and South West (30%), with Yoruba and Igbo women having the highest prevalence at 34.7%

203 UNFPA, 'Acceleration Paper #4 Towards Zero Gender-based Violence and Harmful Practices in West and Central Africa' (2024) (accessible [here](#)) at 8.

204 UNICEF, 'Child Marriage in West and Central Africa' (above n 135).

205 Id.

206 Id.

207 UNICEF, 'Female Genital Mutilation – A global concern' (above n 15) at 1.

208 IDEA, 'Advocating against FGM through Imams, sermons and women's networks in The Gambia' (2025) (accessible [here](#)).

209 RFI, 'Activists hail Sierra Leone child marriage ban, urge action on FGM' (2024) (accessible [here](#)).

210 FAHP & IHDRA, 'Sierra Leone Movement to End Female Genital Mutilation/Cutting announces two landmark cases in huge strides towards legal reform and ending the violence' (2023) (accessible [here](#)).

211 Equality Now, 'What's happening with the FGM law in the Gambia?' (2024) (accessible [here](#)). Though the Parliament have upheld the criminalisation of FGM, a case has been file before the Supreme Court of the Gambia challenging the constitutionality of the prohibition of FGM.

212 UNICEF, 'UNICEF warns FGM on the rise among young Nigerian Girls' (2022) (accessible [here](#)).

213 UNICEF, 'Nigeria Takes Bold Steps to End Child Marriage and Protect the Rights of Children' (2024) (accessible [here](#)).

214 UNICEF, 'Child Marriage in West and Central Africa At a Glance' (2022) (accessible [here](#)).

215 ACERWC, 'Concluding Observations and Recommendations' (2019) (accessible [here](#)) at para 39

and 30.7%, respectively.<sup>216</sup> Ethnicity and religion significantly influence child marriage practices.<sup>217</sup> Notably, maternal education plays a critical role in reducing FGM prevalence, with daughters of women who have completed higher education (8%) being far less likely to undergo FGM than those of women with no formal education (24%).<sup>218</sup>

## Legal and Justice Mechanisms

Nigeria's Constitution does not specifically address harmful practices, but it does safeguard the right to dignity and equality and protection from degrading treatment as well as the protection of children.<sup>219</sup> However, section 29(4)(b) states that a married woman is considered to be of full age, which has been interpreted as a loophole legitimising child marriage, a provision repeatedly criticised by the CEDAW Committee.<sup>220</sup>

The ACERWC has commended some of Nigeria's legislative steps to address harmful practices.<sup>221</sup> The primary legal framework governing children's rights is the Child Rights Act of 2003. The Child Rights Act sets the minimum age for marriage at 18 and prohibits harmful practices against children, including FGM.<sup>222</sup> 34 out of 36 states have adopted the Act into their internal legislation,<sup>223</sup> with unreported evidence suggesting all states have now domesticated it. Mandatory birth and marriage registration is required under the Compulsory Registration of Births and Deaths Act 1992.<sup>224</sup> Customary marriages must be registered within 60 days, while statutory marriages are registered by marriage officers.<sup>225</sup> However, enforcement remains inconsistent, particularly in rural areas, where awareness of these requirements is limited. Birth registration statistics reveal stark disparities: 59% of urban children under age five are registered, compared with only 27% in rural areas.<sup>226</sup> Registration increases with household wealth, ranging from 12% in the poorest quintile to 77% in the richest, underscoring inequality in access to services.<sup>227</sup> Deep-rooted cultural and religious norms continue to undermine legal protections.<sup>228</sup> In northern states governed by Sharia, the Child Rights Act faces strong opposition from groups like the Supreme Council for Sharia in Nigeria.<sup>229</sup>

216 UK Government, 'Country policy and information note: female genital mutilation (FGM), Nigeria' (updated 2025) (accessible [here](#)).

217 J Wale et al, 'Ethnicity, religious affiliation and girl-child marriage: a cross-sectional study of nationally representative sample of female adolescents in Nigeria' *BMC Public Health* 20 (2020) (accessible [here](#)).

218 Id.

219 UK Government, 'Country policy and information note: female genital mutilation (FGM), Nigeria' (updated 2025) (accessible [here](#)).

220 CEDAW, 'Concluding observations on the combined seventh and eighth periodic reports of Nigeria' (2017) (accessible [here](#)).

221 ACERWC, 'Concluding Observations and Recommendations' (2019) (accessible [here](#)) at para 39

222 W Igboko, 'The Child's Rights Act vs Shairia Law: Girl Child Marriage in Nigeria (2022) (accessible [here](#)).

223 S Aya, 'FG: 34 States Have Domesticated Child's Rights Act' (2022) (accessible [here](#)).

224 The compulsory registration of births is outlined under section 7 of the Compulsory Registration of Births and Deaths Act.

225 Sections 30 and 34 of the Compulsory Registration of Births and Deaths Act.

226 Demographic and Health Survey (2023-24) (accessible [here](#)).

227 Id.

228 Human Rights Watch, 'Nigeria: Child Marriage Violates Girls' Rights - States Should Urgently Adopt Laws to Enforce Child Rights Act' (2022) (accessible [here](#)).

229 Hon. Justice Zaynab Bashir, 'An Evaluation Of The Impact Of The Child Rights Act In Regulating The Rights Of A Child In Nigeria' (2023) (accessible [here](#)).

The Violence Against Persons (Prohibition) Act (“VAPP”) has also been lauded as “hugely important,”<sup>230</sup> in part for criminalising FGM, domestic violence, and other forms of GBV.<sup>231</sup> Penalties range from fines to up to four years imprisonment. Although the VAPP Act is a step in the right direction, the legislation does not mandate reporting of planned or completed FGM cases, nor does it explicitly address medicalised FGM. Despite the criminalisation of FGM, enforcement remains weak due to limited awareness, lack of reporting mechanisms, and cultural resistance. Many cases of FGM occur within private or rural settings, making detection and prosecution difficult. Additionally, the penalty for performing FGM, typically a fine or short-term imprisonment, is often insufficient to deter offenders.<sup>232</sup>

### ***The Need to Resist Pushback Against Efforts to Repeal Protective Laws***

*Concerningly, a bill to repeal and reenact the VAPP Act passed its second reading in July 2024, threatening years of progress. Activists warn that this move risks rolling back vital protections, undoing years of progress, and leaving survivors of violence even more vulnerable. While this development is concerning, this may present an important opportunity for Nigeria to draw on The Gambian experience and push back against regressive law reform efforts, but also strengthen the implementation of the VAPP Act by addressing enforcement gaps.*

Access to justice and legal empowerment also remain fraught with challenges. In 2010, the High Court recently dismissed a case involving, a 26-year-old woman forced to marry a senator.<sup>233</sup> The Court ruled that her human rights were not violated and deemed the matter a matrimonial issue for Islamic courts.<sup>234</sup> Her case underscores the ongoing clash between customary/religious laws and statutory protections, particularly in northern Nigeria, where Sharia law governs family matters.

Another major barrier to implementation is poverty, which drives families to marry off daughters at an early age as a survival strategy. In many rural communities, early marriage is viewed as a means of economic security, reducing the financial burden on families.<sup>235</sup> Child brides, however, face severe health risks, including pregnancy-related deaths, which are the leading cause of mortality among 15-19-year-old girls. Reports indicate that many girls are married off without their consent, highlighting gaps in enforcement mechanisms to prevent forced marriages.<sup>236</sup>

230 A Topping, ‘Nigeria’s female genital mutilation ban is important precedent, say campaigners’ (2015) (accessible [here](#)).

231 28 Too Many, Thomson Reuters Foundation, ‘Nigeria: The Law and FGM’ (2018, updated 2022) (accessible [here](#)).

232 CEDAW, ‘Concluding observations on the combined seventh and eighth periodic reports of Nigeria’ (2017) (accessible [here](#)).

233 BBC, ‘Nigeria court rejects ‘forced marriage’ case’ (2010) (accessible [here](#)).

234 Id.

235 Hon. Justice Zaynab Bashir, ‘An Evaluation Of The Impact Of The Child Rights Act In Regulating The Rights Of A Child In Nigeria’ (2023) (accessible [here](#)).

236 W Igboko, ‘The Child’s Rights Act vs Shairia Law: Girl Child Marriage in Nigeria (2022) (accessible [here](#)).

## Advocacy and Support

The National Strategy to End Child Marriage (2016-2021) launched by the Ministry of Women’s Affairs and Social Development envisioned a reduction in child marriage by 40% by 2020 and eliminated by 2030. The strategy aimed to shift harmful cultural norms, increase access to education, and create economic opportunities for young women, but has not been costed or broken into an actionable work plan, resulting in limited progress since its launch.<sup>237</sup> To support policy enforcement, a Technical Working Group on Ending Child Marriage, composed of UN agencies and Girls Not Brides members, was formed in 2015 to monitor legal implementation and encourage behaviour change.<sup>238</sup>

### *Community-Led Advocacy and Dialogue*

*UNICEF in Nigeria has been working together with Men Engage Alliance, a local NGO, in order to engage boys and men in Nigeria to end FGM in the country, recognising that it is necessary to shift the obligation of ending harmful practices from being on the women in the community to being on the community as a whole.<sup>239</sup> Initiatives which seek to educate men and boys on the negative impacts of harmful practices are therefore effective mitigation strategies. This is especially the case in countries like Nigeria, where men are the predominant decision-makers. Initiating and leading discussions with community and religious leaders can lead to positive results in promoting gender equality thereby eradicating harmful practices.*

## Administrative Efforts

Nigeria has taken important steps to strengthen evidence-based policymaking to address harmful practices. Initiatives such as the FGM Research Initiative and the VAPP Act tracker collect disaggregated data on prevalence and legal domestication across states.<sup>240</sup>

From a budgetary perspective, efforts are ongoing to overcome notable challenges. Funding remains a major hurdle, with civil society organisations calling for greater financial commitments to ensure sustained implementation of legal protections and national action plans.<sup>241</sup> In 2019, a joint UNICEF-government report quantified the economic cost of violence against children at USD 6.1 billion annually (1.07% of GDP), underscoring the urgency of prevention.<sup>242</sup> In 2025, according to UNICEF, Federal allocations to health and education have declined.<sup>243</sup> Social sector spending constitutes less than a quarter of the national budget, with child protection receiving just NGN 0.31 per person (0.00019 USD).<sup>244</sup> Public finance for children is further

237 Girls Not Brides, ‘Nigeria’ (accessible [here](#)).

238 Id.

239 Id at 83.

240 See Partners West Africa Nigeria, ‘VAPP Tracker’ (accessible [here](#)).

241 Plan International, ‘From Commitment to Action – Accelerating Efforts to End Female Genital Mutilation (FGM) by 2030’ (2025) (accessible [here](#)).

242 UNICEF, ‘Unprecedented report reveals true cost of violence against children’ (2019) (accessible [here](#)).

243 UNICEF, ‘Public finance, for every child’ (2025) (accessible [here](#)).

244 Id.

undermined by opaque budget processes and the absence of distinct budget lines for child protection.<sup>245</sup> There are, however, efforts underway to address this. UNICEF has supported multi-stakeholder advocacy, technical assistance, and capacity-building. Notable initiatives include:<sup>246</sup>

The development of 10 budget briefs and a Business Case with the Nigerian Economic Summit Group to advocate for increased child-focused spending in the 2024–2026 Medium Term Expenditure Framework.

Embedding technical advisors in the Budget Office to provide real-time data and train 680+ state officials on child- and gender-sensitive budgeting.

Launch of a digital policy simulation tool with the Ministry of Budget and Economic Planning to model the impacts of fiscal policy on child deprivation.

Support to Lagos State in introducing child budget tags to track cross-sectoral spending on children aged 0–18.

These efforts have contributed to the inclusion of Human Capital Development in the MTEF for the first time and the creation of a National Action Plan on primary healthcare financing.

### *Republic of Mali (“Mali”)*

Mali has some of the highest rates of FGM and child marriage globally. 89% of women aged 15-49 have undergone FGM with 92% cut before the age of 10.<sup>247</sup> As of 2022, around million girls and women in Mali have undergone FGM. The practice is socially and religiously entrenched, with over 70% of women and 66% of men believing it is religiously mandated.<sup>248</sup> Child marriage is similarly prevalent, with 53.7% of girls married before the age of 18, and 15.9% before the age of 15, with the highest concentrations in southwestern regions.<sup>249</sup> Many of these marriages remain unregistered, particularly those conducted under customary law, due to a lack of birth registration documents.<sup>250</sup> The ongoing conflict in Mali exacerbates the situation. Instability has led to increased rates of child marriage, as families marry off daughters to secure financial stability or ensure protection from armed groups. Similarly, reports indicate that militias and extremist groups impose FGM as part of their control over communities, further entrenching harmful practices.<sup>251</sup>

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245 Id.

246 Id.

247 European Union Agency for Asylum, ‘Female Genital Mutilation/Cutting in Mali Country of Origin Information Report’ (2022) (accessible [here](#)).

248 Id.

249 28 Too Many, ‘FGM/C in Mali: Country Profile Update’ (2022) (accessible [here](#)).

250 Id.

251 Id.

## Legal and Justice Mechanisms

Despite ratifying major human rights treaties (CRC, CEDAW, African Children’s Charter, Maputo Protocol), Mali’s laws remain misaligned. The 2011 Code of Persons and the Family sets the minimum marriage age at 16 for girls and 18 for boys, but allows girls as young as 15 to marry with parental and judicial consent.<sup>252</sup> Many customary marriages go unregistered due to low birth registration.<sup>253</sup> Mali has yet to criminalise FGM, despite multiple attempts over the years to introduce legal prohibitions.<sup>254</sup> The Penal Code (2024), now in effect, fails to criminalise FGM.<sup>255</sup> Resistance to reform is strong. Religious leaders have actively protested criminalisation efforts.<sup>256</sup>

### **Missed Opportunity: Mali’s 2024 Penal Code Reform**

*A critical opportunity to advance protections for girls was lost in late 2024. While the government adopted amendments to the Penal Code, earlier draft versions included groundbreaking provisions to criminalise both FGM and child marriage.<sup>257</sup> These clauses were ultimately removed before the final law was passed, highlighting the persistent challenges in legislating against deeply entrenched harmful practices. The omission underscores the fragility of legal reform in contexts where cultural and religious opposition remain powerful and where political will is insufficient to safeguard children’s rights.*

In 2019, the CEDAW Committee concluded its inquiry into Mali’s failure to protect women and girls from FGM, finding the state responsible for grave and systematic violations of its obligations under CEDAW.<sup>258</sup> It urged the state to criminalise FGM and strengthen access to justice, victim support, and community engagement. Mali has also received recommendations from the UPR,<sup>259</sup> CRC Committee,<sup>260</sup> and ACERWC to criminalise FGM and child marriage and to raise the marriage age to 18.<sup>261</sup>

Access to justice remains limited. No child-friendly justice mechanisms exist, and legal aid is insufficient. Survivors are often unable to seek legal recourse due to cost, stigma, and systemic barriers.<sup>262</sup> Customary and religious systems also continue to play a major role in marriage and family law. In *APDF & IHRDA v. Republic of Mali*, the African Court on Human and Peoples’ Rights (“African Court”) held that Mali’s marriage

252 Sections 158, 280 and 282 of the Code of Persons and the Family, 2011.

253 Girls Not Brides, ‘Mali’ (accessible [here](#)).

254 28 Too Many, ‘Mali: The Law \* FGM’ (2018) (accessible [here](#)).

255 The Penal Code 2024-027 (2024) (accessible [here](#)).

256 European Union Agency for Asylum, ‘Female Genital Mutilation/Cutting in Mali Country of Origin Information Report’ (2022) (accessible [here](#)).

257 Equality Now, ‘Statement by Equality Now During the 45th Ordinary Session of the African Committee of Experts on the Rights and Welfare of the Child, 8 April 2025, Maseru, The Kingdom of Lesotho’ (2025) (accessible [here](#)).

258 CEDAW, ‘Inquiry concerning Mali under Article 8 of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women’ CEDAW/C/IR/MLI/1 (2019) (accessible [here](#)).

259 IHRDA, ‘ACHPR 79th OS: IHRDA statement on FGM, child marriage in Mali’ (2024) (accessible [here](#)).

260 CRC Committee, ‘Concluding observations on the combined third to fifth periodic reports of Mali’ (2024) (accessible [here](#)).

261 ACERWC, ‘Concluding Recommendations: Mali’ (2022) (accessible [here](#)).

262 International Development Law Organization, ‘Journeys to Justice: Exploring Customary Systems in Mali’ (accessible [here](#)).

laws violated regional and international obligations by allowing girls under 18 to marry.<sup>263</sup> The Government of Mali defended its provision, arguing that it accommodated social, cultural, and religious practices and that enforcing an 18-year minimum age would be impractical. The Court, however, rejected these justifications. The ruling marks the first time the African Court applied the Maputo Protocol, breathing life into an underutilised but groundbreaking treaty for women’s rights in Africa.<sup>264</sup> It is a success story in the fight against harmful practices, reaffirming that women’s and children’s rights cannot be sacrificed for cultural or religious justifications.<sup>265</sup> Following the ruling, efforts to revise Mali’s legislation included drafting a Bill on Gender-Based Violence, which would raise the marriage age to 18. However, strong opposition from religious leaders stalled the reform process, highlighting the persistent tension between human rights obligations and cultural resistance.<sup>266</sup>

### Support, Advocacy, and Awareness

Protection mechanisms remain weak. Just 15.7% of women are aware of FGM’s health risks. Survivors lack access to medical, psychological, and rehabilitative care.<sup>267</sup> Reporting is low due to stigma and fear. Nonetheless, Mali has launched a few national strategies: the Multisectoral National Strategy to End Child Marriage (2022–2026),<sup>268</sup> and the National Strategy for Eliminating FGM (2021–2030), with budgeted action plans.<sup>269</sup> In 2015, Mali participated in the AU Campaign to End Child Marriage in Africa, launching the “Education for Girls: A Means to Eliminating Early Child Marriage” campaign. Led by the First Lady, the initiative focuses on keeping girls in school as a deterrent to early marriage.<sup>270</sup> A National Committee was established in 2017 to coordinate efforts. UN Women, UNICEF, and Plan International have supported these initiatives, promoting gender equality and ending harmful practices through community engagement.<sup>271</sup>

According to the CRC Committee, Mali has made some progress in awareness-raising and community engagement and capacity building.<sup>272</sup> Through collaboration with organisations such as UNICEF, efforts to prevent child marriage and FGM have included education and community engagement initiatives. UNICEF Mali, through the EU-UN Spotlight Initiative, has partnered with Plan International Mali and the Overseas

263 Application 046/2016, Association pour le Progrès et la Défense des Droits des Femmes Maliennes (APDF) and the Institute for Human Rights and Development in Africa (IHRDA) v Republic of Mali (accessible [here](#)); UN Women et al, ‘Legislating and enforcing the minimum age of marriage’ (2023) (accessible [here](#)).

264 G Asumada, ‘Case analysis: APDF & IHRDA v Republic of Mali’ (2018) (accessible [here](#)); IHRDA, ‘IHRDA, APDF obtain favourable judgment against Mali in first case before the African Court applying provisions of Maputo Protocol’ (2018) (accessible [here](#)).

265 B Kombo, ‘A missed opportunity? Derogation and the African Court case of APDF and IHRDA v Mali’ (2020) 20 African Human Rights Law Journal (accessible [here](#)).

266 UN Women et al, ‘Legislating and enforcing the minimum age of marriage’ (2023) (accessible [here](#)).

267 CEDAW, ‘Inquiry concerning Mali under Article 8 of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women’ CEDAW/C/IR/MLI/1 (2019) (accessible [here](#)).

268 CRC Committee, ‘Concluding observations on the combined third to fifth periodic reports of Mali’ (2024) (accessible [here](#)).

269 UNFPA-UNICEF Joint Programme on the Elimination of Female Genital Mutilation: Accelerating Change, ‘Mali’ (2021) (accessible [here](#)).

270 Code of Persons and the Family (above n 251).

271 Id.

272 CRC Committee, ‘Mali’ (above n 267)

### **Engaging Relevant and Strategic Stakeholders**

*CSOs in Mali also provide examples of effective engagements by leveraging cultural and religious leaders to mitigate harmful practices. The Association for Monitoring and Orientation on Traditional Practices has trained community leaders in the Kayes region to facilitate public assemblies where members of the community may share information and knowledge to change perceptions of FGM, which are then followed by a committee that ensures accountability in upholding commitments made by the community to end FGM.<sup>274</sup>*

### **Administrative Efforts**

Data collection remains inadequate, with no government repository tracking FGM and child marriage prevalence. International agencies such as UNICEF and UNFPA provide data, but domestic research remains minimal. Without regular reporting and monitoring, evidence-based policymaking remains underdeveloped. The CRC Committee has noted that “in the specific area of information on vulnerable children, quantitative and qualitative data are insufficient or even entirely lacking.”<sup>275</sup> Funding shortages further hinder efforts to eliminate child marriage and FGM. While national strategies exist, resources remain insufficient for legal enforcement, survivor support, and capacity-building of duty-bearers such as police, judiciary, health workers, and educators. The ACERWC has recommended that Mali allocate a substantial budget to sectors related to the promotion and protection of children’s rights.<sup>276</sup> The CRC Committee has noted that the amounts allocated to the Ministry for the Advancement of Women, Children and the Family and to the Ministry of Labour and Humanitarian Action remain low, at 0.30% and 1.20%, respectively.<sup>277</sup>

### **North Africa**

273 ALIGN, ‘Project to end FGM/C and child marriage in Mali’ (2023) (accessible [here](#)).

274 Id at 84.

275 Id.

276 ACERWC, ‘Mali’ (above n 260).

277 CRC Committee, ‘Mali’ (above n 267).

### **Regional Snapshot**

*Child marriage prevalence in North Africa varies significantly across countries. In Morocco, child marriage affects 9% of girls, with stark disparities between rural and urban areas.<sup>278</sup> It is estimated that there are over seven million child marriages in Egypt.<sup>279</sup> Countries like Tunisia and Algeria have comparatively low rates of child marriage, with the percentages of women who were married before age 18 estimated at 2% in Tunisia and 3% in Algeria.<sup>280</sup> FGM is particularly widespread in Egypt with prevalence rates above 85%,<sup>281</sup> with 31 million cases, making it one of the highest-prevalence countries globally.<sup>282</sup> Conflict and displacement play a role in the perception and practice of FGM, particularly in the context of migration flows from Sudan to Egypt, where there are added complexities of Sudan being a high-practising country and Egypt having considerably<sup>283</sup> high rates of medicalised FGM.*

### **Arab Republic of Egypt (“Egypt”)**

FGM remains widespread in Egypt, with 86% of women aged 15-49 affected.<sup>284</sup> The prevalence varies by geography and socioeconomic status: 79% of urban women are affected compared to 90% in rural areas, with the highest rate (93%) in rural Upper Egypt and the lowest (62%) in the Frontier Governorates.<sup>285</sup> FGM is more common among impoverished households (94%) and those with limited education (95%), versus 72% among wealthier and 82% among more educated women. Most procedures occur before age 15, with nearly half of ever-married women cut between ages seven and . Medicalisation has sharply increased: over 78% of procedures are now conducted by health professionals.<sup>286</sup> Despite legal prohibitions and awareness efforts, FGM persists due to social norms, misinformation, and perceived medical safety.<sup>287</sup> Egypt also faces high child marriage rates, with over 7 million estimated cases.<sup>288</sup>

### **Legal and Justice**

Egypt has enacted legal measures to address FGM and child marriage, but enforcement remains weak. The Child Marriage Act and Article 80 of the Constitution define a child as under 18.<sup>289</sup> Article 2 requires age verification via birth certificates or IDs, and birth and marriage registration are mandatory under Article 14. Article 31-bis prohibits registration of marriages under 18, with disciplinary penalties for registrars. The Child Act further prohibits harmful practices against children, with provisions ensuring a healthy environment free

278 Id.

279 Girls Not Brides, ‘Middle East and North Africa’ (accessible [here](#)).

280 UNICEF, ‘Child Marriage in the Middle East and North Africa’ (above n 277).

281 UNICEF, ‘Female Genital Mutilation – A global concern’ (above n 15).

282 Id.

283 Equality Now, ‘Female Genital Mutilation amongst Sudanese Migrants in Greater Cairo: Perceptions and Trends’ (2025) (accessible [here](#)).

284 Id.

285 Id.

286 Id.

287 Id.

288 Girls Not Brides, ‘Middle East and North Africa’ (accessible [here](#)).

289 Civil Status Law aNo. 143 of 1994 (accessible [here](#)) and Child Law No. 126 of 2008 (accessible [here](#)).

from physical abuse. The Penal Code, as amended, criminalise FGM.<sup>290</sup> The 2021 Penal Code amendments increased penalties: performing FGM can result in five to seven years imprisonment; procedures causing permanent damage or death attract three to 15 years. Requesting FGM can lead to one to three years. While the Penal Code addresses medicalised FGM, such procedures continue due to societal misconceptions about their safety.<sup>291</sup> The Child Act imposes additional penalties for parents or guardians who expose children to FGM, doubling minimum penalties for crimes committed by adults against children.<sup>292</sup> Egypt has ratified the CRC and CEDAW but not the Maputo Protocol. It ratified the African Children’s Charter with reservations, though it withdrew its reservation on the minimum marriage age in 2015.<sup>293</sup> The ACERWC recently urged Egypt to strengthen victim care and FGM elimination strategies.<sup>294</sup>

Despite legal reforms, implementation is lacking. Few cases have been prosecuted since 2008. The first FGM conviction came after the 2013 death of a 13-year-old girl.<sup>295</sup> Her doctor was initially acquitted but was later sentenced in 2015 following international pressure. He ultimately surrendered, and his clinic was closed for a year. The girl’s father received a three-month suspended sentence. In 2021, a nurse received a ten-year sentence for FGM on an eight-year-old girl, and her father received three years. In an earlier case, the doctor and parents of a 17-year-old received suspended sentences following her death from FGM.<sup>296</sup>

## Support, Advocacy, and Awareness

In 2022, Egypt launched a renewed National Action Plan for FGM Abandonment, building on its 2016–2020 plan.<sup>297</sup> The updated strategy focuses on: (1) ending medicalised FGM, (2) transforming social and gender norms, (3) improving prevention and response services, (4) increasing data, and (5) developing institutional monitoring and evaluation. The National Strategic Framework for Motherhood and Childhood (2018–2030) also identifies FGM and child marriage as priorities.<sup>298</sup> Internationally, Egypt has co-sponsored multiple UN General Assembly resolutions addressing child marriage, including the 2013 procedural resolution and the 2014 resolution on child, early, and forced marriage.<sup>299</sup> The country signed a joint statement at the Human

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290 See 28 Too Many, ‘Egypt: FGM and the Law’ (2018) (accessible [here](#)); Library of Congress, ‘Egypt: Draft Law Enhancing Criminal Penalties against Female Genital Mutilation Approved’ (2021) (accessible [here](#)); A Al-Youm, ‘Egyptian cabinet approves bill harshening penalty for female genital mutilation’ (2021) (accessible [here](#)).

291 UNICEF, ‘Medical Deception: Naja’s daughter nearly died because of FGM medicalization’ (2023) (accessible [here](#)).

292 Article 116 of the Child Act.

293 Human Rights Watch ‘Egypt: Small Forward Steps on Child Rights’ (accessible [here](#)).

294 ACERWC ‘Concluding recommendations by the ACERWC on the Arab Republic of Egypt report on the status on the implementation of the African Charter on the Rights and Welfare of the Child’ (accessible [here](#)).

295 BBC, ‘Arrest of Egypt FGM doctor Raslan Fadl welcomed’ (2016) (accessible [here](#)).

296 See, for example, O Dyer ‘Egyptian prosecutors investigate the death of a girl during female genital mutilation’ The BMJ (accessible [here](#)) and Thomson Reuters Foundation and 28TooMany ‘Egypt: The Law and FGM’ (2018) (accessible [here](#)).

297 UNICEF, ‘Egypt’ (accessible [here](#)).

298 Permanent Mission of the Arab Republic of Egypt to the United Nations Office, the World Trade Organisation, and International Organisations in Geneva (2019) (accessible [here](#)).

299 Girls Not Brides, ‘Egypt’ (accessible [here](#)).

Rights Council in 2014, calling for legal action against child marriage.<sup>300</sup>

Medical professionals play a significant role in either perpetuating or preventing FGM. Several interventions have targeted their influence. The Doctors Against FGM/C initiative in Egypt has trained over 300 physicians to advocate against the practice, with a peer training approach designed to create a ripple effect. At a community level, Egypt's Generation Dialogues project fosters open conversations within families about harmful practices. By including entire families in workshops, the initiative encourages multi-generational change.<sup>301</sup> Youth-led advocacy is also playing a role. Egyptian youth activist Amal Abdallah used interactive theatre at COP27 to advocate for the integration of FGM elimination into climate response policies.<sup>302</sup>

### **Engaging Relevant and Strategic Stakeholders**

*Religious and traditional leaders hold significant influence in shaping cultural attitudes and behaviours. Abdel Moneim Muhammad Abdel Rahman Abu Al-Naga, a religious leader from a small Egyptian village, recalls his initial disbelief when he first attended a session on FGM. "I grew up believing FGM was a religious obligation. No one ever questioned it, and as a man, I was unaware of the physical and psychological harm it caused," he reflects. Now, at 67, Abdel Moneim has become a leading voice against FGM, working to bridge the gap between traditional beliefs and modern health perspectives. "The project opened our eyes to the fact that FGM is not only harmful but also criminalised," he emphasises. Leveraging his religious knowledge and influence, Abdel Moneim has dedicated himself to shifting mindsets and confronting one of the greatest challenges in Egypt's fight against FGM, the deep-rooted belief that it is a religious duty.<sup>303</sup>*

Despite positive efforts, it appears that protection schemes for victims and potential victims of harmful practices are not yet realised, according to the recommendations of the CRC Committee in 2024.<sup>304</sup>

### **Administrative Efforts**

The National Observatory for the Rights of the Child is responsible for gathering child-related information and data, and it appears that a consolidated data-collection system for children at risk has been established.<sup>305</sup> However, it is not clear to what extent, if at all, this includes data on FGM or child marriage. From a fiscal perspective, there is limited available information regarding specific efforts in the context of harmful practices. That said, the Budget Transparency Series, a partnership between the government and UNICEF, has recorded that the government has "prioritised spending on child-related social sector spending." The Brief explains that "social protection is receiving the largest share of the FY 2023/2024 budget at 16%, followed by 7.7% for education and 4.9% for health."<sup>306</sup>

300 Id.

301 UNFPA, 'In Egypt, men and boys stand firm against female genital mutilation' (2025) (accessible [here](#)).

302 UNICEF-UNFPA Joint Programme, 'Reimagining Resilience - Eliminating Female Genital Mutilation in the Context of the Polycrisis' (2022) (accessible [here](#)).

303 C Dupire, 'Breaking the Silence: How Egypt's Fight Against Female Genital Mutilation is Transforming Lives' (2024) (accessible [here](#)).

304 CRC Committee, 'Concluding observations on the combined fifth and sixth periodic reports of Egypt' (2024) (accessible [here](#)).

305 Id.

306 Arab Republic of Egypt & UNICEF, 'Spotlight on Children in the 2023/2024 Budget: Budget Transparency Brief No.9' (2024) (accessible [here](#)).

### Regional snapshot

*FGM also remains prevalent in parts of the region, particularly in Ethiopia, Somalia, Eritrea, Kenya, and Tanzania,<sup>307</sup> and Sudan has the highest rates, where one in three girls is married before turning 18.<sup>308</sup> Cross-border FGM is prevalent in East Africa, with families and practitioners crossing national borders to perform or undergo FGM, often to evade legal consequences. FGM prevalence is notably higher in border areas of five East African countries compared to national averages. A study by UNICEF and the Kenyan Anti-FGM Board found that 60% of respondents from Ethiopia, 14% from Somalia, 17% from Tanzania, and 71% from Uganda travelled to Kenya for FGM. National prevalence rates among women aged 15–49 remain high in several countries, with Ethiopia at 65%, Kenya at 21%, Somalia at 98%, Tanzania at 10%, and Uganda at 0.3%.<sup>309</sup> There are ongoing efforts by women- and youth-led organisations working across the rural-urban divide, with a clear understanding of the importance of engaging religious institutions and community elders, as powerful allies.<sup>310</sup> In terms of child marriage, South Sudan (52%), Somalia (45%), Eritrea (41%), and Ethiopia (40%) rank among the top five countries with the highest prevalence rates of child marriage.<sup>311</sup>*

### Republic of Sudan (“Sudan”)

The enduring conflict in Sudan has resulted in the world’s largest displacement crisis,<sup>312</sup> causing close to 12 million people to leave their homes.<sup>313</sup> There has been a mass movement to seek refuge in neighbouring countries, namely Egypt, Libya, Chad, the CAR, South Sudan, and Ethiopia.<sup>314</sup> Those who have been internally displaced experience a host of challenges, including a lack of privacy, overcrowding, and food insecurity – all conditions that increase the risk of gender-based violence,<sup>315</sup> including FGM and child marriage.<sup>316</sup> The prevalence of FGM for girls and women between 15 and 49 years old is 86.6%,<sup>317</sup> one of the highest in the world. In terms of child marriage rates, approximately 34% of girls marry before the age of 18 years old, with 12% marrying before 15.<sup>318</sup>

### Legal and Justice Mechanisms

While Sudan is party to some international and regional instruments, critical gaps remain. It ratified the CRC without reservations but has neither signed nor ratified CEDAW. It signed, but has not ratified, the Maputo Protocol. Although it ratified the African Children’s Charter, it reserved Article 21, which calls for eliminating

307 UNICEF, ‘Child marriage on the rise in Horn of Africa as drought crisis intensifies’ (2022) (accessible [here](#)).

308 UNICEF, ‘Child Marriage in the Middle East and North Africa’ (2022) (accessible [here](#)).

309 UNFPA, ‘Policy Brief: Cross-border female genital mutilation in East Africa’ (2022) (accessible [here](#)).

310 UNICEF, ‘Five years to zero: the race to end FGM by 2030 Strengthening alliances and building movements to end female genital mutilation in Eastern and Southern Africa’ (2025) (accessible [here](#)).

311 Girls Not Brides, ‘Eastern and Southern Africa’ (accessible [here](#)).

312 UNHCR, ‘Sudan situation’ (accessible [here](#)).

313 C Hudson and M Strucke, ‘Sudan’s Humanitarian Crisis: What Was Old Is New Again?’ Centre for Strategic and International Studies (2024) (accessible [here](#)).

314 C Lennon, ‘Sudan, ‘the most devastating humanitarian and displacement crisis in the world’ UN News (2025) (accessible [here](#)).

315 UN Women Sudan, ‘Sudan Crisis: In-Depth Gender Assessment Report’ (2024) (accessible [here](#)).

316 Id.

317 Thomson Reuters Foundation and 28 Too Many, ‘Sudan: The Law and FGM’ (2022) (accessible [here](#)).

318 Girls Not Brides, ‘Sudan’ (accessible [here](#)).

harmful cultural practices and prohibits child marriage. In 2023, the ACERWC urged Sudan to implement immediate measures to protect children.<sup>319</sup>

The 2019 Constitutional Declaration tasks the state with repealing discriminatory laws and guaranteeing women's rights.<sup>320</sup> Article 49(3) commits to combat harmful customs, and Article 50 affirms obligations to protect children under international and regional law. FGM was criminalised federally in 2020 through amendments to the Criminal Code, endorsed by the Sovereign and Ministerial Councils.<sup>321</sup> While the Child Act omits FGM, it includes general protections from violence and harm.<sup>322</sup> Some states, including Gedaref, South Darfur, South Kordofan, and Red Sea, have enacted anti-FGM laws within their territories.<sup>323</sup>

The Muslim Personal Law Act does not set a minimum age for marriage and stipulates the instances in which consent from a male guardian is required.<sup>324</sup> Generally, girls are permitted to marry from the age at which they begin menstruating.<sup>325</sup> Where the marriage involves a minor, permission needs to be sought from a judge. The Child Act does not protect children from marriage.<sup>326</sup> On the contrary, Article 16 provides that individuals desirous of marriage shall submit themselves to medical examinations to ensure they are "free" from infections and hereditary diseases to protect the child. While the age of sexual consent is 18 years for both boys and girls, the law permits girls as young as 10 years to engage in sexual relations if married.<sup>327</sup> Judges may grant permission for such marriages if deemed in the best interest of the girl, provided the husband is suitable and able to pay the dowry.<sup>328</sup> Mandatory birth and marriage registration is required under the Civil Registry Act, which stipulates that health institutions must report births within 15 days and marriage contracts must be registered within 30 days.<sup>329</sup> However, enforcement remains inconsistent, particularly in rural areas.

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319 ACERWC, 'Statement on the Situation of Children in the Republic of the Sudan' (2023) (accessible [here](#)).

320 Sudan Constitutional Declaration (2019) (accessible [here](#)).

321 UNICEF, 'Sudan enters new era for girl rights with criminalization of FGM' (2020) (accessible [here](#)).

322 Child Act 2010 (accessible [here](#)).

323 Id.

324 Personal Status Act 1991 (accessible [here](#)) and Girls Not Brides, 'Sudan' (accessible [here](#)).

325 S al-Nagar and L Tønnesen, 'Sudan Country Case Study: Child Rights' Norad and SIDA (accessible [here](#)).

326 Child Act (above n 318).

327 Ecpat, 'Regional Overview: Sexual Exploitation of Children in Middle East and North Africa' (2020) (accessible [here](#)).

328 Id.

329 Articles 20 and 26 of the Civil Registry Act 2011.

### ***Punishing the Victims Rather Than the Perpetrators***

*Concerns about the rule of law in Sudan persist,<sup>330</sup> and decisions relating to FGM and child marriage are limited. It appears that there is a harmful punitive response to victims rather than perpetrators, the case of Noura Hussein being an apt example. After being married as a child and killing her husband in self-defence in response to being raped, 19-year-old Hussien received the death penalty, which was subsequently overturned and commuted to a five-year prison sentence.<sup>331</sup> The case caught the attention of international advocacy organisations, diplomatic missions, and the media. It highlighted the severity of the rights violations occasioned by child marriage.*

Medicalised FGM persists, with midwives and healthcare professionals defying regulations. Medical Council Resolution No. 366 2002 prohibits doctors and midwives from performing FGM, with sanctions including license revocation and dismissal. However, enforcement is weak, and some midwives avoid accountability by altering their oath during graduation ceremonies.<sup>332</sup> The Ministry of Health conducts reproductive health programmes to raise awareness about the harmful effects of FGM, but societal attitudes continue to hinder progress.<sup>333</sup>

Cross-border FGM is another challenge, as families move across borders to avoid prosecution. Sudan shares borders with countries where FGM laws vary, including Egypt, Eritrea, Ethiopia, and South Sudan.<sup>334</sup> Article 141A of the Criminal Act, 1991 penalises individuals who travel into Sudan to perform FGM, but the extent of cross-border practices remains unclear due to limited data.

### **Support, Advocacy, and Awareness**

Sudan's National Strategy and Action Plan on FGM (2021–2031) builds on its 2008–2018 predecessor.<sup>335</sup> It emphasises the National Council for Child Welfare's coordinating role. A roadmap for training health providers and community leaders aligns with broader strategies on health, education, social protection, and gender-based violence.<sup>336</sup> A planned media campaign remains pending.<sup>337</sup> In 2018, Sudan's Permanent Mission to the UN reported plans to revise personal laws to set the minimum marriage age at 16 or 18, gather data on child marriage, and develop a national framework. It is unclear if conflict has stalled these efforts.<sup>338</sup>

Government departments have partnered with UN bodies and local CSOs to implement advocacy campaigns

330 L Oetter and M Abdel-Salam Babiker, 'The Rule of Law and Human Rights in Sudan: challenges and prospects for reform' Sudan Democracy First (accessible [here](#)).

331 Amnesty International, 'Why Sudanese teenager Noura Hussein's case matters' (20 September 2018) (accessible [here](#)) and Equality Now, 'Noura Hussein Freed From Prison' (18 February 2022) (accessible [here](#)).

332 28 Too Many, 'Sudan: The Law and FGM' (2018) (accessible [here](#)).

333 Id.

334 Id.

335 UNICEF, 'Sudan' (2021) (accessible [here](#)).

336 28 Too Many, 'Sudan' (above n 328).

337 Id.

338 See the Resolution 71/175 on Child, early and forced marriage (23 January 2017) A/RES/71/175 (accessible [here](#)) and the response by the Permanent Mission of the Republic of the Sudan (3 January 2018) ("Permanent Mission response") (accessible [here](#)).

with religious leaders and the media, provide reproductive health services and midwife training, incorporate awareness education into school curricula, and counsel parents of newborn girls.<sup>339</sup> A comprehensive mapping exercise of communities practising FGM has been undertaken, along with an online dialogue platform to facilitate discussions on FGM. In November 2020, police forces nationwide were instructed to enforce the criminalisation of FGM.<sup>340</sup>

### ***Being Responsive to Changing Contexts***

*In Sudan, over 400 child-friendly spaces were set up for IDP families, including at the Al Salam IDP site, where inclusive safe learning spaces help children and caregivers heal from past trauma. These spaces provide structured learning, access to mental health services, psychosocial support, referral pathways, and essential health care and child protection services. A key element of these programmes is their integration with an early warning system (“EWS”) for child marriage and FGM, demonstrating the power of safe spaces in combination with preventative monitoring systems in both humanitarian and development settings.*

## **Administrative Efforts**

Sudan’s reliance on UN bodies such as UNFPA, UNICEF, and UNWomen for data highlights gaps in government-led research. A 2016 study conducted with UNICEF revealed that 96% of women aged 15-49 were aware of FGM, with knowledge levels varying from 71.5% in Central Darfur to 99.3% in North Kordofan. The study also found that better-educated and wealthier women were more likely to favour FGM abandonment. However, the prevalence of FGM remains higher than the percentage of women who believe it should be discontinued, reflecting a disconnect between attitudes and practices.

Funding for anti-FGM and child marriage initiatives remains inadequate. While organisations like Girls Not Brides focus on education, health, and human rights, the Saleema Initiative has been a cornerstone of community-level advocacy. However, sustained funding and capacity-building for police, judiciary, health workers, and teachers remain essential to ensure the effective implementation of laws and national action plans.

## **The Federal Democratic Republic of Ethiopia (“Ethiopia”)**

Ethiopia has made progress in addressing harmful practices, with data showing a decline in prevalence over the past decade.<sup>341</sup> However, these practices remain deeply entrenched. About 17.3 million women and girls were married as children, and 40% of girls marry before 18. FGM prevalence stands at 65%.<sup>342</sup> While decreasing in some areas, it persists across various regions and demographics.<sup>343</sup> Despite growing awareness of FGM’s health risks, social consequences such as ostracisation and reduced marriage prospects

339 Id.

340 28 Too Many, ‘Sudan’ (above n 328).

341 UNICEF, ‘Five years to zero: the race to end FGM by 2030’ (2025) (accessible [here](#)).

342 UNICEF Data, ‘Ethiopia’ (accessible [here](#)).

343 UNICEF, ‘The Decline of Female Genital Mutilation in Ethiopia and Kenya’ (2021) (accessible [here](#)).

often outweigh concerns.<sup>344</sup> Among refugee populations, child marriage is higher due to economic hardship and limited educational opportunities.<sup>345</sup> Ongoing conflict and instability further exacerbate these issues. Although Ethiopia has laws aligned with international standards, implementation challenges persist. The ACERWC commended Ethiopia's commitment to ending child marriage and FGM by 2025 but expressed concern over high prevalence rates.<sup>346</sup>

## Legal and Justice Mechanisms

Ethiopia is a party to key regional and international human rights treaties that mandate the elimination of harmful practices. The country has ratified the CRC, the CEDAW, the Maputo Protocol, and the African Children's Charter.<sup>347</sup> The Constitution prohibits gender discrimination and protects against bodily harm. Articles 25, 35(4), and 36 provide a legal foundation for eliminating harmful practices, although they do not explicitly reference FGM or child marriage.<sup>348</sup>

The Criminal Code criminalises FGM and child marriage.<sup>349</sup> Article 565 penalises circumcision, Article 566 infibulation, and Article 648 child marriage, with punishments of three to seven years, depending on the age of the victim. The Revised Family Code sets the minimum legal age of marriage at 18 for both boys and girls.<sup>350</sup> However, a significant legal loophole exists: the Minister of Justice may grant exceptions for marriage at 16 upon application by the individual or their guardian.

Despite Ethiopia's legal prohibitions, several gaps and inconsistencies hinder the effective protection of women and girls. In practice, child marriage remains widespread, particularly in rural areas where religious and customary marriages are common and often conducted outside the formal legal system.<sup>351</sup> Similarly, while FGM is criminalised, enforcement is inconsistent, and prosecutions remain rare. Many local authorities and community leaders continue to support FGM, prioritising cultural values over legal prohibitions.<sup>352</sup> Religious and customary laws continue to influence child marriage and FGM practices, despite national laws overriding any religious, cultural, or social justifications. In response, Ethiopia has structured collaboration between religious platforms and health professionals to drive behaviour change.<sup>353</sup>

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344 E Preseler-Marshall et al, 'Female Genital Mutilation in Ethiopia's Afar Region: Patterning, Drivers, and Decision-Making' *Journal of Adolescent Health* 75 (2024) (accessible [here](#)).

345 Girls Not Brides, 'Ethiopia' (accessible [here](#)).

346 ACERWC, 'Concluding Recommendations: Ethiopia' (2022) (accessible [here](#)).

347 TRF et al, 'Ethiopia: The Law & FGM' (2018) (accessible [here](#)).

348 Constitution of the Federal Democratic Republic of Ethiopia (1995) (accessible [here](#)).

349 Criminal Code (2004) (accessible [here](#)).

350 Revised Family Code Proclamation (2000) (accessible [here](#)) at Article 7.

351 Girls Not Brides, 'Ethiopia' (accessible [here](#)); and World Policy Analysis Center, 'Ethiopia: A brief on child marriage' (2024) (accessible [here](#)).

352 Z Tesfaye, 'Forbidden, yet common: Female genital cutting among the Oromo in central Ethiopia' *National Library of Medicine* 17 (2024) (accessible [here](#)).

353 Id.

### ***Recent backlash from the Ethiopian Islamic Affairs Council<sup>354</sup>***

*A 2024 Fatwa issued by the Ethiopian Islamic Affairs Supreme Council (“EIASC”) reclassified FGM from a Sunnah (recommended) to a Wajib (obligatory) practice. This has sparked serious concern. This contradicts Ethiopia’s legal obligations and international human rights standards. The African Women of Faith Network has strongly opposed this regressive stance, noting that FGM is a harmful traditional practice, not a religious requirement, and its continuation under the guise of faith undermines the fundamental principles of human dignity that Islam seeks to uphold. The Network has urged the EIASC to reconsider its position.*

Ethiopia also lacks comprehensive systems for survivor-centred care, such as shelters, hotlines, and rehabilitation programmes.<sup>355</sup> Another critical barrier is the lack of effective reporting and accountability mechanisms. Survivors of FGM and child marriage often face stigma, fear of retaliation, and limited access to justice.<sup>356</sup> Many cases go unreported, and even when reported, law enforcement agencies lack the capacity or willingness to pursue prosecutions.

### **Support, Advocacy, and Awareness**

To strengthen legal protections, Ethiopia introduced national policies and action plans, including the 2013 National Strategy and Action Plan to Eliminate Harmful Traditional Practices,<sup>357</sup> the National Costed Roadmap to End Child Marriage and FGM (2020–2024),<sup>358</sup> which the UN Secretary-General welcomed as an important step in addressing child marriage.<sup>359</sup> In 2017, a Ministry of Health circular banned the medicalisation of FGM in public and private health facilities.<sup>360</sup> Despite these measures, persistent social norms, weak law enforcement, and resistance from local leaders hinder progress.<sup>361</sup> The ACERWC has called for enhanced cross-border cooperation and awareness-raising among traditional and religious leaders.<sup>362</sup>

354 African Women of Faith Network, (above n 114).

355 UNFPA-UNICEF Global Programme to End Child Marriage, ‘Ethiopia’ (accessible [here](#)); UN Women, ‘Shelters for Women and Girls who are Survivors Of Violence in Ethiopia’ (2016) (accessible [here](#)); UNICEF, ‘National Costed Roadmap to End Child Marriage and FGM/C 2020-2024’ (2019) (accessible [here](#)).

356 European Union Agency for Asylum, ‘Female Genital Mutilation/Cutting in Ethiopia Country of Origin Information Report (2022) (accessible [here](#)).

357 Federal Democratic Republic of Ethiopia Ministry of Women, Children and Youth Affairs (MoWCYA), ‘National Strategy and Action Plan on Harmful Traditional Practices (HTPs) against Women and Children in Ethiopia’ (2013) (accessible [here](#)).

358

359 Report of the Secretary-General, ‘Issue of child, early and forced marriage’ A/79/308 (2024) (accessible [here](#)) at para 41.

360 World Health Organization, ‘Ethiopia bans medicalization of female genital mutilation (FGM)’ (2017) accessible [here](#).

361 CEDAW Committee, ‘Concluding observations on the eighth periodic report of Ethiopia’ (2019) (accessible [here](#)); Z Tesfaye, ‘Forbidden, yet common: Female genital cutting among the Oromo in central Ethiopia’ National Library of Medicine 17 (2024) (accessible [here](#)).

362 ACERWC, ‘Concluding Recommendations: Ethiopia’ (2022) (accessible [here](#)).

## Community-Led Advocacy and Dialogue

*Ethiopia has facilitated community conversations and intergenerational dialogues in order to leverage the strengths, perspectives, and influence of all age groups by promoting understanding, mutual respect, and collaboration.<sup>363</sup> This practice has helped to challenge perceptions regarding girls' education and acceptable roles in society, and has initiated discussions on the negative consequences of child marriage in particular.<sup>364</sup> Religious leaders, community members, and adolescents have also worked together in the Somali region of Ethiopia to end harmful practices by facilitating life skills training programmes for girls, aimed at empowering them to challenge social and cultural norms in the region.<sup>365</sup> This has led to broader change in communities, as misinformation around FGM and child marriage is quashed and concerns around abandoning the harmful practices are addressed.<sup>366</sup>*

As noted above Ethiopia has shown notable resilience amid times of crisis:

- During the COVID-19 pandemic, Ethiopia used mobile-based IVR training to reach over 6,000 out-of-school girls with co-designed FGM awareness content, showcasing how technology can sustain advocacy in crisis settings.<sup>367</sup>
- To protect internally displaced women and girls, Ethiopia established 17 Women and Girls Friendly Spaces by early 2023, offering GBV services, counselling, and safe spaces to address FGM and related harms.<sup>368</sup>
- Amid limited healthcare access during the pandemic, Ethiopia relied on community health workers and social workers to continue essential services and identify FGM risks, illustrating the value of local government collaboration in emergencies.<sup>369</sup>

Mass media and digital platforms have also demonstrated significant potential in driving awareness and shifting public perceptions on critical social issues. In Ethiopia, the radio talk show *Yalaleke Guzo* (“Unfinished Journey”) is a prime example of how entertainment can be effectively combined with education to challenge deeply entrenched practices of FGM and child marriage. The show uses compelling storytelling to engage listeners, raising awareness about the harmful consequences of these practices while providing educational content that empowers individuals to make informed decisions.<sup>370</sup>

## Administrative Efforts

The 2016 Ethiopian Demographic and Health Survey (EDHS) added modules on child marriage, FGM, and

363 Report of the Secretary-General, ‘Issue of child, early and forced marriage’ A/79/308 (2024) (accessible [here](#)) at para 64.

364 Id.

365 W Mulatu and A Sahilu, ‘Community Action in Ending FGM and Child Marriage’ UNICEF Ethiopia (2024) (accessible [here](#)).

366 Id.

367 UNFPA and UNICEF Joint Programme on the Elimination of Female Genital Mutilation, ‘The Illustrative Cases of Implementation of the Humanitarian-Development-Peace Nexus Approach in Female Genital Mutilation Programmes’ (2024) (accessible [here](#)).

368 Id.

369 Id.

370 UNFPA, ‘With funding from partners, Ethiopian radio talk shows aim to end female genital mutilation’ (2021) (accessible [here](#)).

gender-based violence.<sup>371</sup> By including new modules on child marriage, FGM, and violence against women, the EDHS provided comprehensive, up-to-date data that shed light on the prevalence and impacts of these harmful practices. This valuable information can improve the understanding of the scope of the issues and also help to identify the regions most affected, which is essential for designing targeted and context-specific interventions. The data can be instrumental in advocating for stronger policies and programs to protect vulnerable populations, such as children and women, from these harmful practices. Moreover, it can enable civil society organisations, researchers, and policymakers to monitor progress, track changes over time, and adjust strategies accordingly.

From a budgetary perspective, the ACERWC has called for increased investment in girls' education, family economic support, and awareness programmes.<sup>372</sup> The CEDAW Committee has criticised gaps in the implementation, monitoring, and enforcement of Ethiopia's national strategy. It urged stronger action against entrenched gender norms.<sup>373</sup> The Committee Against Torture ("CAT") echoed these concerns, highlighting the lack of reliable data, underreporting, and limited prosecutions that foster impunity.<sup>374</sup> CAT recommended stricter enforcement of criminal penalties, especially for FGM, and targeted community measures to shift discriminatory attitudes. It also urged the prosecution of medical professionals complicit in FGM and the expansion of prevention efforts at the grassroots level.

## Federal Republic of Somalia ("Somalia")

Somalia continues to face significant challenges in addressing violence against women and girls, with GBV remaining one of the most prevalent human rights violations, with over 60% of women in the country having experienced various forms of GBV.<sup>375</sup> Entrenched gender inequalities, ongoing conflict, protracted crises, and clan clashes contribute to widespread harmful practices such as FGM and child marriage.<sup>376</sup> FGM is nearly universal (99%) and often viewed as a prerequisite for marriage.<sup>377</sup> Child marriage prevalence is 45%, particularly affecting children in IDP camps due to displacement-related hardships and the absence of legal protections.<sup>378</sup> Child marriage in Somalia is driven by legal gaps, customary practices, and socio-cultural norms. The intersection of customary law, Shari'a law, and statutory law, coupled with the lack of a coherent

371 Government of Ethiopia, 'National Costed Roadmap to End Child Marriage and FGM/C 2020–2024' (accessible [here](#)).

372 ACERWC, 'Concluding Recommendations' (above n 355).

373 CEDAW Committee, 'Concluding observations on the eighth periodic report of Ethiopia' (2019) (accessible [here](#)).

374 Committee against Torture, 'Concluding observations on the second periodic report of Ethiopia' CAT/C/ETH/CO/2 (2023) (accessible [here](#)).

375 Plan International, 'Joining Forces Alliance Somalia Advocacy on Combatting Violence Against Women and Girls in Somalia' (2024) (accessible [here](#)); European Union Agency for Asylum, '2.11.2. Violence by Al-Shabaab' (2022) (accessible [here](#)).

376 European Union Agency for Asylum, '2.11.4. Female genital mutilation or cutting (FGM/C)' (2022) accessible [here](#); European Union Agency for Asylum, '2.11.2. Violence by Al-Shabaab' (2022) (accessible [here](#)).

377 Id.

378 Girls Not Brides, 'Somalia' (accessible [here](#)); M Tukahiraw, 'Strategies for ending Child Marriage in the Horn of Africa' SIHA Network Presentation (accessible [here](#)); United Nations, 'Estimating the economic costs of child marriage in the Arab region' (2023) (accessible [here](#)).

legal framework, severely limits survivors' access to justice and enforcement of protective laws.<sup>379</sup>

## Legal and Justice Mechanisms

Somalia's evolving legal framework offers opportunities but also risks regression.<sup>380</sup> While the legal marriage age is 18, exceptions allow girls to marry younger with parental consent.<sup>381</sup> Although birth and marriage registration are required under the Child Act and Civil Registry Act, Somalia lacks a national registration system.<sup>382</sup> As of 2020, only 3.5% of children under five were registered, and 0.3% had birth certificates.<sup>383</sup> Efforts to establish a civil registration system are ongoing, with the CRVS Policy adopted in 2021 aiming to create a public registration system for vital events, but implementation remains slow.<sup>384</sup> Despite commitments in the 2017–2019 National Development Plan to eliminate child marriage, legislative proposals like the Sexual Intercourse Related Crimes Bill aim to legalise marriage for children who have reached puberty, irrespective of their actual age. Although the bill's current status remains unclear, its mere existence underscores the precarious nature of legal protections for children in Somalia.<sup>385</sup>

### **Internal pressure to halt regressive constitutional measures**

*In March 2024, Somalia's Parliament passed constitutional amendments lowering the age of majority to 15, triggering domestic and international outcry.<sup>386</sup> This raised concerns about enabling child marriage and undermining juvenile protections. By establishing 15 as the "age of maturity," the amendments effectively opened the door for increased child marriage, particularly among girls.<sup>387</sup> Following significant pressure, lawmakers decided to suspend further deliberations on amendments.<sup>388</sup> While this decision offers a temporary reprieve, it highlights the ongoing threat posed by legislative changes in Somalia's highly fluid political and legal landscape.*

The country has pledged to end child marriage in alignment with the SDGs and has ratified the CRC.<sup>389</sup> However, despite signing both the Maputo Protocol and the African Children's Charter, Somalia has yet to ratify either. Moreover, Somalia has yet to sign or ratify CEDAW, a critical gap in its commitment to women's rights. Somalia has also received concluding observations from the CRC Committee, which in 2022, urged

379 M Tukahiraw, 'Strategies for ending Child Marriage in the Horn of Africa' SIHA Network Presentation (accessible [here](#)).

380 Human Rights Council, 'Report of the Independent Expert on the situation of human rights in Somalia, Isha Dyfan' A/HRC/57/80 (2024) (accessible [here](#)) at para 13.

381 Human Rights Watch, 'Submission to the Committee on the Rights of the Child Review of Somalia 90th Session' (2022) (accessible [here](#)).

382 Ecoi.net, 'Somalia: Birth registration, including requirements and procedures; issuance of birth certificates and marriage certificates from the Benadir [Benaadir, Banaadir, Banadir] Regional Administration (BRA) [Mogadishu municipality] (2021–March 2023) [SOM201367.E]' (accessible [here](#)).

383 Id.

384 Id.

385 UNFPA et al, 'Somalia' Gender Justice & The Law' (accessible [here](#))

386 Public Interest Law Alliance, 'Somalian Constitutional Change Lowers the Age of Maturity Leaving Children Potentially Vulnerable' (2024) (accessible [here](#)).

387 Human Rights Watch, 'Somalia: Constitutional Proposals Put Children at Risk - Amendments Could Weaken Restrictions on Child Marriage, FGM' (2024) (accessible [here](#)).

388 Human Rights Watch, 'Somalia: Events of 2024' (2025) (accessible [here](#)).

389 Girls Not Brides, 'Somalia' (accessible [here](#)).

the government to explicitly prohibit marriage for individuals under the age of 18, without exception.<sup>390</sup> The Committee also expressed alarm over the high prevalence of child marriage, including among children as young as 15 or younger, and raised concerns about the widespread practice of FGM, particularly among girls aged five to ten.<sup>391</sup> Despite calls for reform, resistance from traditional and religious leaders continues to hinder efforts to eliminate these harmful practices.

***Religious justification and a lack of legal protections leave girls at risk<sup>392</sup>***

*A recent case in Puntland underscored legal and religious challenges. An eight-year-old girl, missing for six months, was found living with a man claiming to be her husband. The man, Sheikh Mahmoud, initially alleged he was only teaching her the Quran, but later admitted to marrying the child with her father's consent. The incident sparked widespread anger across Somalia, leading to social media outcry and public protests. Security forces intervened, rescuing the girl and launching a formal investigation. Particularly alarming is the strong religious justification invoked by Sheikh Mahmoud, who cited Islam to defend the marriage. His statements, despite pushback from Somali Islamic scholars, underscore the serious challenge posed by harmful interpretations of religious doctrine that are used to legitimise child marriage. This case is a stark reminder of the urgent need for Somalia to enact and enforce clear laws prohibiting child marriage.*

Customary practices allow parents to make decisions over their daughters' futures, including FGM and marriage. In some instances, girls are commodified in marriage exchanges between warring tribes as part of peace negotiations or subjected to "inherited" marriages, where a man is entitled to marry the widow of his deceased relative. Women and girls who have been raped are often forced to marry their rapists to uphold family honour, allowing perpetrators to avoid punishment. Those who refuse such marriages face severe consequences, including ostracisation from their families and communities.<sup>393</sup> This practice allows perpetrators to evade legal consequences while subjecting survivors to further harm.<sup>394</sup>

Under Article 440(1) of the Penal Code, causing harm to another person is punishable by imprisonment for three months to three years, with harsher penalties for grievous harm. However, these provisions are insufficient to address the systemic nature of FGM and child marriage. While there is no national legislation criminalising FGM,<sup>395</sup> efforts appear underway to prohibit "all forms" of FGM through an anti-FGM bill.<sup>396</sup> This has been welcomed by the Independent Expert on the human rights situation in Somalia, who has called for the bill to be enacted without delay.<sup>397</sup> At the state level Galmudug and Jubaland have passed anti-FGM laws.<sup>398</sup> Medicalised FGM is reportedly increasing among wealthier families who believe it is safer.<sup>399</sup>

390 CRC Committee, 'Concluding observations on the initial report of Somalia' (2022) (accessible [here](#)) at para 23(b).

391 Id.

392 A Ali, 'Outrage in Somalia after man says he married missing eight-year-old' BBC (2025) (accessible [here](#)).

393 Id.

394 Id.

395 UNICEF-UNFPA, 'Somalia Country Snapshot' (2023) (accessible [here](#)).

396 Human Rights Council, 'Report of the Independent Expert on the situation of human rights in Somalia, Isha Dyfan' A/HRC/57/80 (2024) (accessible [here](#)) at para 13

397 Id.

398 UNICEF, 'Breaking the silence: Somalia's legislative journey to end female genital mutilation The rise of legal and social reform to end FGM in Somalia' (2025) (accessible [here](#)).

399 28 Too Many, 'Somalia: The Law and FGM' (2018) (accessible [here](#)).

Puntland's 2014 inter-ministerial decree prohibits medicalisation and allows for clinic closures and license revocation.<sup>400</sup> However, it lacks an implementation plan and accountability framework. Cross-border practices further complicate efforts to eliminate FGM and child marriage. Somalia shares borders with countries like Ethiopia and Kenya, where enforcement of anti-FGM laws varies.<sup>401</sup> Families often cross borders to avoid prosecution, and Somali women and girls from Western diasporas are reportedly brought to Somalia for FGM due to the absence of legal consequences.<sup>402</sup>

Despite some judicial action in GBV cases, weak enforcement, reliance on customary dispute resolution, and limited institutional capacity continue to undermine justice for survivors. Reporting mechanisms, survivor protection, and accountability appear inadequate, perpetuating impunity.<sup>403</sup>

### **Support, Advocacy, and Awareness**

Somalia has committed to ending child, early, and forced marriage by 2030, in line with SDG 5.3.<sup>404</sup> It co-sponsored key UN resolutions and signed a 2014 Human Rights Council joint statement calling for legal action against child marriage.<sup>405</sup> At the 2019 Nairobi Summit, Somalia pledged to achieve zero SGBV, including eradicating child marriage and FGM.<sup>406</sup> However, national-level reforms remain limited.

In a positive shift for capacity building, midwives and nurses, who often face the tension between professional ethics and cultural expectations, are being trained in person-centred communication. A baseline FGM prevention and care package has been introduced in 180 health facilities across multiple countries.<sup>407</sup> Somalia has also demonstrated efforts focusing on empowering both refugees and host communities, with an emphasis on strengthening inclusive community self-management and access to information for displaced populations. This approach fosters cohesion and resilience among both displaced and host communities, highlighting the importance of inclusive decision-making that reflects the diverse needs of all individuals.<sup>408</sup>

Community-level interventions are crucial to shifting social norms. Local organisations and NGOs facilitate community dialogues involving men, religious leaders, law enforcement, and traditional FGM facilitators. Somaliland Women Development Association uses theatre, song, and dance to challenge harmful practices.<sup>409</sup>

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400 Id.

401 Id.

402 Id.

403 AMISOM, 'Somalia's law courts receive praise for prescribing tough penalties for Gender-Based Violence, as youth engage in the preventative measures' (2017) (accessible [here](#)).

404 Girls Not Brides, 'Somalia' (accessible [here](#)).

405 Id.

406 Id.

407 WHO, 'In Somalia, health workers, girls and women are experts in preventing female genital mutilation' (2021) (accessible [here](#)).

408 Id.

409 Id at 78.

Multi-platform advocacy using radio, newspapers, SMS, and social media promotes gender equality and confronts FGM, reaching diverse audiences.<sup>410</sup>

## Administrative Efforts

In an attempt to strengthen GBV-related programming and advocacy, Somalia has implemented a Gender-Based Violence Information Management System to collect, manage, and analyse GBV data, including cases related to child marriage and FGM.<sup>411</sup> Reliable data collection remains essential for designing effective interventions, improving inter-agency coordination, and ensuring informed advocacy efforts. The Somalia Demographic Health Survey has included data on FGM, and there are recent academic endeavours to use this data to examine the prevalence and determinants of FGM.<sup>412</sup> Funding remains a major challenge, with women and girls underrepresented in the national response. While funding allocated for nutrition, livelihoods, sexual and reproductive health, and GBV projects increased from 40% in 2017 to 64% in 2019, targeted support for FGM survivors, legal aid, and law enforcement training is severely underfunded.<sup>413</sup>

## Southern Africa

### Regional snapshot

*Tanzania and Mozambique have the highest numbers of child brides in the East and Southern African region, with an estimated number of 5.7 million and 4.4 million child brides, respectively. In Mozambique, over half (53%) of women were married before the age of 18. Several other countries in the sub-region also report alarmingly high figures, including Madagascar (2.9 million), Angola (2.5 million), and Malawi (2.2 million). The nature of these unions ranges from peer-to-peer marriages to those involving significantly older adult partners. For instance, in Lesotho, almost all (95%) married children are in formal unions, with only 2% in informal arrangements.<sup>414</sup> To guide legal reform efforts, the Southern African Development Community (“SADC”) Model Law on Eradicating Child Marriage and Protecting Children Already in Marriage provides a comprehensive legal framework. The Model Law outlines the minimum age of marriage and offers robust provisions aimed at preventing child marriage and safeguarding the rights and welfare of children already in such unions.<sup>415</sup> FGM is not as prevalent in Southern Africa compared to the other regions, however, in countries as such Malawi, South Africa, Zimbabwe, and Zambia, there is some evidence of FGM from media reports and anecdotal evidence<sup>416</sup>*

## Republic of Malawi (“Malawi”)

Child marriage remains alarmingly high in Malawi, with 38% of girls married before the age of 18.<sup>417</sup> Harmful cultural practices such as chinamwali (a puberty initiation rite where girls as young as 10 are taught

410 M Tukahiraw, ‘Strategies for ending Child Marriage in the Horn of Africa’ SIHA Network Presentation (accessible [here](#)).

411 Gender-Based Violence Information Management System, ‘About’ (accessible [here](#)).

412 O Farih, ‘Prevalence and factors associated with female genital mutilation among daughters using Somalia Demographic Health Survey Data, SDHS 2020’ (2024) (accessible [here](#)).

413 UNFPA and UN Women, ‘Case Study: Somalia Funding for Gender Equality and the Empowerment of Women and Girls in Humanitarian Programming’ (2020) (accessible [here](#)).

414 Equality Now, ‘Ending Child Marriage in Southern Africa: Gaps and Opportunities in the Legislative Frameworks’ (2024) (accessible [here](#)).

415 Equality Now, ‘Ending Child Marriage in Eastern and Southern Africa: Challenges in Implementing Domestic Laws and the SADC Model Law on Child Marriage’ (2024) (accessible [here](#)).

416 Equality Now, ‘FGM in Africa’ (accessible [here](#)).

417 Id.

about sex and encouraged to engage in sexual activity with older men as a supposed mark of maturity and readiness for marriage) is still practised in some communities.<sup>418</sup> While efforts had reduced child marriage, progress was reversed by COVID-19 disruptions, including school closures and limited access to services. Between April and June 2020, the national youth helpline recorded 669 cases of child marriage, an 83% increase from the previous year.<sup>419</sup> FGM appears to persist among some small ethnic groups in southern Malawi. The UNHRC raised concern in 2014,<sup>420</sup> and in 2023 the CEDAW Committee noted its concern that there is no effective legislation addressing FGM.<sup>421</sup>

## Legal and Justice Mechanisms

Malawi's Constitution prohibits sex and gender-based discrimination and mandates eliminating customs that harm women.<sup>422</sup> In 2017, the Constitution was amended to raise the minimum age of marriage to 18 for all, removing a previous exception allowing marriage from age 15 with parental consent.<sup>423</sup> Malawi, therefore, provides for the minimum age of 18 for both boys and girls with no exceptions.<sup>424</sup> The Marriage, Divorce and Family Relations Act 2017 sets 18 years as the minimum legal age for marriage without exceptions, reinforced by section 78, which states that only individuals above this age have the right to form a family. Birth and marriage registration are mandatory.<sup>425</sup>

### **Youth-led activism and CSO support to advocate for constitutional reform in Malawi<sup>426</sup>**

*The constitutional amendment was driven in part by youth-led activism and sustained advocacy. Youth advocates like Memory Banda played a central role, backed by organisations like Plan International. Their campaign led to Parliament voting overwhelmingly in favour of reform. The amendment harmonised Malawi's legal framework with obligations under international human rights law. It also fulfilled commitments made in the amicable settlement of the Institute for Human Rights and Development in Africa (IHRDA) v. Malawi case before the ACERWC. Since the constitutional change, a government-led task force, chaired by the Ministries of Justice and Gender, has been working to harmonise all child-related laws to ensure consistent definitions and enforcement. Malawi's journey shows how grassroots youth activism can influence national legislation, set powerful precedents, and spark broader legal and policy reforms to protect children's rights.*

Despite this progress, enforcement remains a challenge. The Marriage, Divorce and Family Relations Act 2017 mandates 18 as the legal marriage age and requires birth and marriage registration. Yet, only 67.5% of children are registered at birth.<sup>427</sup> Many marriages, particularly customary ones in rural areas, go unregistered,

418 Equality Now, 'Challenges in Implementing Domestic Laws' (above n 415).

419 Id.

420 UNHRC, 'Concluding observations on the initial periodic report of Malawi' CCPR/C/MWI/CO/1/Add.1(2014) (accessible [here](#)).

421 CEDAW Committee, 'Concluding observations on the eighth periodic report of Malawi' CEDAW/C/MWI/CO/8 (2023) (accessible [here](#)).

422 The Constitution of Malawi, 1994 (accessible [here](#)) at article 20.

423 UN Women, 'Malawi Parliament adopts amendment to end child marriage' (2017) (accessible [here](#)).

424 Equality Now, 'Gaps and Opportunities in the Legislative Frameworks' (above n 414).

425 UNICEF, 'Malawi' (accessible [here](#)).

426 Plan International, 'Malawi changes law to end child marriage' (2017) (accessible [here](#)); and Human Rights Council, 'National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21\* Malawi' A/HRC/WG.6/36/MWI/1 (2020) (accessible [here](#)).

427 Equality Now, 'Challenges in Implementing Domestic Laws' (above n 415).

limiting legal enforcement and girls' access to education and protection. The National Registration Bureau (NRB) aims to address this gap by registering 600,000 births in 2023.<sup>428</sup>

### **Justice in Action: Malawian Mothers Fined for Forcing Child Marriage<sup>429</sup>**

*In a landmark 2023 case, two women were fined for forcing their daughters, aged 14 and 16, into marriage. The Court heard that in October 2023, one mother instructed her pregnant 14-year-old daughter to move in with her boyfriend. The boy's mother welcomed the girl and housed the two children as a couple. However, concerns arose when the girls later discovered her daughter was not receiving antenatal care. She reported the matter to the police, prompting legal action. Both women were charged under Section 81(a) of Malawi's Child Care, Protection and Justice Act. During the trial, they pleaded ignorance and requested leniency, claiming they did not know how to properly address the situation. The state prosecutor urged the Court to impose a meaningful penalty to deter similar conduct. The judge agreed, sentencing the women to pay MK100,000 (USD58) each or face 12 months' imprisonment. Both have since paid the fines. The Court's sentence sent a clear message that child marriage is punishable under the law.*

The prevalence of FGM in Malawi is more opaque, largely due to the lack of national statistics on FGM and the secrecy around FGM within Malawian communities.<sup>430</sup> There is no legislation that specifically prohibits FGM.<sup>431</sup> The country's Gender Equality Act does, however, prohibit harmful practices more generally.<sup>432</sup> Harmful practices in this Act are defined as social, cultural, or religious practices which undermine the dignity, health, or liberty of any person on account of their sex, gender, or marital status and which result in physical, sexual, emotional or psychological harm.<sup>433</sup> Section 5 of the Act states that "a person shall not commit, engage in, subject another person to, or encourage the commission of any harmful practice."<sup>434</sup> Given the broad definition of harmful practices, this provision may be interpreted to prohibit FGM. The Act does not impose penalties for failing to report harmful practices. Legislative reform and data collection are necessary to explicitly prohibit and track FGM.

### **Support, Advocacy, and Awareness**

The ACERWC's 2025 Concluding Observations called for greater protection in refugee camps and rural areas, where child marriage has increased, particularly post-COVID.<sup>435</sup> The ACERWC further emphasised the need for a multi-sectoral approach involving grassroots organisations. Malawi supported recommendations and efforts to enhance legal enforcement against child marriage.<sup>436</sup> Malawi also co-sponsored multiple UN Human

428 Id.

429 W Mkandawire, 'Two women fined for forcing their children into marriage' (2024) (accessible [here](#)).

430 United States Department of State, '2022 Country Reports on Human Rights Practices: Malawi' (2022) (accessible [here](#)); Orchid Project, 'Malawi' (accessible [here](#)).

431 Id.

432 Gender Equality Act Chapter 25:06 (accessible [here](#)).

433 Id.

434 Id at section 5(1).

435 ACERWC, 'Concluding Observations and Recommendations of the African Committee of Experts on the Rights and Welfare of the Child to the Government of the Republic of Malawi on its First Periodic Report on the Implementation of the African Charter on the Rights and Welfare of the Child' (2025) (accessible [here](#)).

436 Id; and United Nations Digital Library System, 'Malawi 2022 Voluntary National Review Report for SDGs' (accessible [here](#)).

Rights Council resolutions, including the 2017 resolution addressing child marriage in humanitarian contexts, the 2019 resolution on the consequences of child marriage, and the 2021 resolution on child marriage during crises such as COVID-19. The country also signed a joint statement at the Human Rights Council in 2014 calling for stronger legal action against child marriage.<sup>437</sup>

The Ministry of Gender launched the National Male Engagement Strategy (2023–2030), promoting male involvement in gender equality and violence prevention.<sup>438</sup> In October 2024, Malawi launched its National Strategy to End Child Marriage, led by the Ministry of Gender, with support from UNFPA. The strategy aims to reduce child marriage by 20%, with a focus on education retention, shifting harmful norms, and strengthening the legal and institutional frameworks that protect girls' rights.<sup>439</sup>

### ***The Positive Power of Traditional Leaders***

*Traditional leaders have played a pivotal role in Malawi's fight against child marriage, demonstrating how cultural authority can be leveraged to drive meaningful change.<sup>440</sup> Chief Theresa Kachindamoto has become an iconic figure in this movement. Dubbed the "Terminator of Child Marriage," she has annulled over 3,500 child marriages and led successful campaigns to reform national laws.<sup>441</sup> Her leadership has included banning harmful "marriage initiation camps" where girls, some as young as 10, were subjected to exploitative rites of passage.<sup>442</sup> Chief Kachindamoto's approach has combined community mobilisation, public education, and accountability. She required 50 sub-chiefs to sign agreements banning child marriage, dismissed those who failed to comply, and led door-to-door awareness campaigns promoting the value of education for girls.<sup>443</sup> Other leaders have followed suit. Other leaders, like Chief Kapoloma, also contribute to this movement. Between 2021 and 2022, 184 child marriages were annulled, and 104 girls returned to school.<sup>444</sup> These examples show that when traditional leaders take a stand, they not only protect children's rights but also foster shifts in social norms and collective behaviours, paving the way for sustainable, community-driven change.*

437 Girls Not Brides, 'Malawi' (accessible [here](#)).

438 Above n 462.

439 Girls Not Brides, 'Malawi Launches National Strategy to End Child Marriage' (2024) (accessible [here](#)).

440 UNICEF, 'In Malawi, local chief leads effort to end child marriage in community' (2018) (accessible [here](#)).

441 UNICEF, 'Chief Kachindamoto's life mission to end child marriage in Malawi' (2021) (accessible [here](#)).

442 Equality Now, 'Ending Child Marriages in Eastern and Southern Africa: A Multisectoral Approach' (2024) (accessible [here](#)).

443 UNICEF, 'Chief Kachindamoto' (above n 440).

444 UNICEF, 'In Malawi, local chief leads effort to end child marriage in community' (2018) (accessible [here](#)).

## Administrative efforts

Malawi has included in the Child Marriage Data Portal, which tracks national trends, how prevalence has changed over time, and how Malawi compares to other nations in terms of child marriage rates.<sup>445</sup> Child protection services are severely underfunded, hindering the effective implementation of child marriage and FGM laws and regional standards. UNICEF estimates that just US\$0.08 was allocated per child for protection services in the 2022/2023 fiscal year, equivalent to only 0.02% of the national budget. Similarly, the National Children’s Commission received MK 275 million (approximately US\$335,000), far below the MK 2 billion (US\$2.4 million) estimated to establish and operationalise it.<sup>446</sup> This underfunding has constrained the delivery of vital services such as birth registration, support for at-risk children, and interventions to prevent harmful practices.<sup>447</sup> This underfunding hampers vital services, weakens law enforcement, and limits prevention and reintegration efforts, particularly for girls vulnerable to child marriage and FGM.

### Republic of Zimbabwe (“Zimbabwe”)

Zimbabwe continues to have a high rate of child marriage, with 34% of girls marrying before 18 and 5% before 15.<sup>448</sup> Only 2% of boys marry before 18, highlighting the gendered nature of the practice.<sup>449</sup> Rural areas are disproportionately affected: 40% of rural women aged 20–24 were married before 18, compared to 19% in urban areas. In September 2023 alone, over 4,500 girls dropped out of school due to pregnancy, with the vast majority (3,942) from rural schools, an indicator of ongoing vulnerabilities. Alarming, 134 of these girls were still in primary school.<sup>450</sup> In response, Zimbabwe has embarked on law reform efforts raising the age of sexual consent from 16 to 18, aiming to curb child marriage and sexual exploitation.<sup>451</sup> There are no official national statistics on FGM, but reports confirm the practice persists in certain communities.<sup>452</sup>

## Legal and Justice Mechanisms

Zimbabwe’s Constitution, which was amended in 2013, provides that the State must take appropriate measures to ensure that children are not pledged in marriage.<sup>453</sup> Section 78 sets the minimum marriage age at 18, while Section 81 protects children from maltreatment and prioritises their best interests. The

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445 See Child Marriage Data Portal (accessible [here](#)).

446 Equality Now, ‘Challenges in Implementing Domestic Laws’ (above n 415).

447 Id.

448 Equality Now, ‘Women and Law in Southern Africa and Equality Now Call for Urgent Legal Reform to Support Child Marriage Survivors in Zimbabwe’ (2025) (accessible [here](#)).

449 Girls Not Brides, ‘Zimbabwe’ (accessible [here](#)).

450 G Daniels, ‘Worrying statistics of early marriages recorded in Mbire’ News Day (2024) (accessible [here](#)).

451 Id.

452 Orchid Project, ‘Zimbabwe’ (accessible [here](#)).

453 The Constitution of Zimbabwe (accessible [here](#)) at section 26.

Constitution also prohibits discriminatory cultural practices that infringe on women's rights.

The 2022 Marriages Act sets 18 as the minimum marriage age with no exceptions, outlawing all child marriages, including customary unions and betrothals.<sup>454</sup> Section 3(2) criminalises anyone who promotes, aids, or coerces child marriage, with penalties of fines or imprisonment up to five years. Stricter penalties apply when the offender is a parent or guardian. The Births and Deaths Registration Act mandates compulsory birth registration, supporting age verification.<sup>455</sup> The Domestic Violence Act defines domestic violence to include cultural practices that discriminate against women, such as forced virginity testing and FGM and criminalises forced marriage, child marriage, and forced wife inheritance.<sup>456</sup> Section 4 penalises violations with fines or imprisonment of up to 10 years. Additional legislation ensures penalties for all actors involved, including perpetrators, facilitators, and accomplices. Section 94 of the Criminal Code criminalises pledging female persons, prohibiting practices where girls are handed over as compensation for debts or obligations, promised in marriage, or coerced into unions through force or intimidation. Violators face fines or imprisonment of up to two years.

### ***The Road to Law Reform***<sup>457</sup>

*In Mudzuru, the Constitutional Court ruled that no one may marry before 18, regardless of gender or the type of union.<sup>458</sup> This case, brought by two women who had been forced into early marriages, highlighted the devastating impact of child marriage, including the restriction of access to education and the perpetuation of poverty. The case challenged Section 22(1) of the Marriages Act, which had allowed girls to marry at 16 with parental consent. The Court held that such provisions contradicted Section 78(1) of the Constitution and were therefore invalid. No exception, religious, cultural, or parental, can justify child marriage.<sup>459</sup>*

*The Court grounded its reasoning in both domestic and international law, citing the CRC and African Children's Charter, which prohibit child abuse and require protective legislation. Zimbabwe's constitutional provisions oblige courts to interpret rights in light of international instruments, reinforcing that laws permitting child marriage are incompatible with these commitments.<sup>460</sup> The Court cited comparative jurisprudence from Canada, South Africa, Australia, the UK, and India to support the ruling. While these cases did not directly address child marriage, they provided persuasive authority on gender equality, children's rights, and judicial responsibility. The Court affirmed that "[r]esistance to the liberation of the girl child from the shackles of child marriage and its horrific consequences based on conceptions of sex discrimination is against the best interests of the girl child" and that "[g]irl children are entitled to effective protection by the Court".<sup>461</sup>*

*This judgment confirmed that child marriage violates constitutional rights, public interest, and human dignity, and affirmed the State's duty to protect children's rights. The ruling serves as a regional precedent, demonstrating how international and comparative law can strengthen national protections and judicial reasoning.*

Zimbabwean courts have begun responding to harmful practices. In 2025, a father was sentenced for pledging his 14-year-old daughter into marriage.<sup>462</sup> In another, the UN and rights groups urged the prosecution

454 Section 10 of Marriage Act (accessible [here](#)).

455 Section 10 of Births and Deaths Registration Act (Chapter 5:02).

456 Section 3(1)(I) of the Domestic Violence Act (Chapter 5:16) 14 of 2006 (accessible [here](#)).

457 See G Gupta & N Gumbonzvanda, 'Courageous legal challenge by child brides in Zimbabwe' (2014) (accessible [here](#)).

458 Mudzuru & Another v. Minister of Justice and Parliamentary Affairs (CCZ 12/2015) (accessible [here](#)).

459 UN Women et al, 'Legislating and enforcing the minimum age of marriage' (2023) (accessible [here](#)).

460 J Sloth-Nielsen & K Hove, 'Recent developments Mudzuru & Another v The Minister of Justice, Leg; G Gupta & N Gumbonzvanda, 'Courageous legal challenge by child brides in Zimbabwe' (2014) (accessible [here](#)); I and Parliamentary Affairs & 2 Others: A review' African Human Rights Law Journal (2015) (accessible [here](#)).

461 Mudzuru & Another v. Minister of Justice and Parliamentary Affairs (CCZ 12/2015) (accessible [here](#)) at p 54.

462 News Zimbabwe, 'Father jailed for pledging 14 year old daughter into marriage' (2025) (accessible [here](#)).

of a man who married a 14-year-old girl.<sup>463</sup> In a tragic FGM case, a young woman from the Tonga community died following a circumcision procedure performed by a traditional healer, reportedly to aid conception. The Prosecutor General's office launched an investigation, but the outcome remains unclear.<sup>464</sup> This case illustrates the persistence of FGM and the potential, albeit slow, path to accountability.

Encouragingly, local leaders are also taking a stand. Chief Siansali of Binga, speaking at the Council of Traditional Leaders in Africa, called for an end to outdated cultural practices, including FGM. He emphasised that while tradition is valuable, it must evolve to serve the well-being of communities.<sup>465</sup>

In 2016, the CRC Committee noted Zimbabwe's lack of sustained measures to eliminate harmful practices and urged enforcement of existing laws and the creation of monitoring systems.<sup>466</sup> The ACERWC's more similarly recommended eliminating child marriage.<sup>467</sup>

### Support, Advocacy, and Awareness

Zimbabwe's 2017 National Gender Policy aimed to eradicate gender discrimination, but it lacked specific provisions on child marriage.<sup>468</sup> Since the policy lapsed, a new gender policy is reportedly under development, but its launch remains overdue. This gap undermines sustained efforts to address harmful practices and weakens national coordination.<sup>469</sup> The previous policy broadly aimed to eliminate gender-based violence and harmful social norms, yet without an explicit focus on child marriage, its impact was limited.<sup>470</sup> The delay in adopting a successor policy is a missed opportunity to reinforce Zimbabwe's legal gains and fulfil its obligations under regional and international frameworks. In parallel, the National Action Plan on Ending Child Marriage (2019–2021) was a key tool led by the Ministry of Women Affairs.<sup>471</sup> It aligned with the AU's campaign against child marriage and aimed to promote gender equality and rights-based development. A new and updated action plan is urgently needed to consolidate progress.<sup>472</sup>

Organisations like Yes Trust have trained over 50 community leaders in GBV response and prevention, using

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463 News Zimbabwe, 'UN rights groups push Zimbabwe to prosecute man who married 14-year' (2021) (accessible [here](#)).

464 F Moyana, 'Female circumcision: Binga's best kept secret' The Herald (2016) (accessible [here](#)).

465 Pindula, 'Binga Chief Calls For An End To Female Circumcision' (2019) (accessible [here](#)).

466 CRC Committee, 'Concluding observations on the second periodic report of Zimbabwe' (2016) (accessible [here](#)).

467 ACERWC, 'Concluding Observations and Recommendations by the African Committee of Experts on the Rights and Welfare of the Child on the Republic of Zimbabwe Report on the Status of Implementation of the African Charter on the Rights and Welfare of the Child' (2022) (accessible [here](#)).

468 The Republic of Zimbabwe, 'National Gender Policy' (2013-2021) (accessible [here](#)).

469 WLSA Southern Africa & Equality Now, 'An Analysis of the Laws and Policies in Place for the Protection and Support of Victims/Survivors of Child Marriages in Zimbabwe' (2025) (accessible [here](#)).

470 Id.

471 Ministry of Women Affairs, Community, Small and Medium Enterprises Development, 'National Action Plan and Communication Strategy on Ending Child Marriage' (2019-2021) (accessible [here](#)).

472 WLSA Southern Africa & Equality Now (above n 469).

multimedia campaigns, radio dialogues, and community events.<sup>473</sup> The Sexual Reproductive Health and Rights Africa Trust launched a 2024 programme focused on ending child marriage.<sup>474</sup>

In 2021, the Zimbabwe Human Rights Council, in partnership with Zimbabwe Lawyers for Human Rights and the Counselling Services Unit, launched mobile human rights clinics to raise awareness and provide free legal advice on reporting and enforcing child marriage laws.<sup>475</sup> However, in Mashonaland West Province, community members reported that law enforcement officials often did not take child marriage cases seriously, citing a lack of political will to combat the issue.<sup>476</sup>

### ***Innovative Spaces for Conversations***<sup>477</sup>

*In a township outside Harare, 17-year-old taekwondo enthusiast, is challenging harmful traditions through sport. In a country where girls as young as 10 are married off due to poverty or tradition, she uses martial arts as an entry point for conversations on child marriage. Through her initiative, the Vulnerable Underaged People's Auditorium, she offers taekwondo classes to married and unmarried girls, creating a safe and empowering space. "I use the sport to get their attention," she explains. The sessions go beyond physical training; after class, the girls engage in open discussions about their experiences, rights, and futures. Having seen friends leave school for marriage, this young girl launched her project in 2018 to offer girls an alternative path. "From being hopeless, the young mothers feel empowered," she says. Her work underscores how innovative, youth-led efforts can shift harmful perceptions and spark dialogue in ways that are culturally relevant and deeply impactful.*

### **Administrative efforts**

Data collection and research on child marriage have increased, but national data on FGM is limited. Most statistics rely on UNFPA, UNICEF, and Girls Not Brides, with Zimbabwe's last major study on FGM conducted by UNFPA. Research highlights the socio-economic drivers of child marriage, informing evidence-based policymaking. Zimbabwe has also pursued capacity-building initiatives, with 44 member organisations of Girls Not Brides supporting advocacy and education programmes.<sup>478</sup>

473 UN Women, 'Impact stories from Commitment Makers: YES TRUST Zimbabwe' (2025) (accessible [here](#)).

474 Mushunje et al, 'Ending child marriages through young people's movement building: the case of community champions in Mutasa District, Zimbabwe' (2024) *African Journal of Social Work*, 14(4) pages 209-214.

475 Girls Not Brides, 'Zimbabwe' (accessible [here](#)).

476 Id.

477 Aljazeera, 'A teenager in Zimbabwe is using taekwondo to fight child marriage' (2021) (accessible [here](#)).

478 Above n 514.

## CHAPTER 4: REGIONAL AND CONTINENTAL INITIATIVES FOR ADDRESSING HARMFUL PRACTICES

Recognising the gravity of the pervasive nature of harmful practices, various regional and continental mechanisms, responses, and initiatives have been developed to combat these practices. This chapter examines several initiatives, assessing their effectiveness and impact on the ground.

### Continental declarations and frameworks

The AU has demonstrated significant political commitment to advancing gender equality and children's rights and ending harmful practices through various declarations and frameworks over the last three decades. In 2004, the Solemn Declaration on Gender Equality in Africa affirmed the commitment of AU Heads of State to gender equality.<sup>479</sup>

The AU's Campaign to End Child Marriage was launched in 2013 to accelerate the end of child marriage across Africa. This Campaign urges Member States to develop national strategies and raise the legal age of marriage to 18.<sup>480</sup> The focus of the Campaign is on ending child marriage by enhancing existing AU policies and instruments.<sup>481</sup> The project outputs include advocacy and social mobilisation, as well as capacity building for Member States and enhancing and strengthening the AUC.<sup>482</sup> The 5-Year Strategic Plan on the AU Campaign to End Child Marriage (2019-2023)<sup>483</sup> is an associated plan with the AU Campaign to End Child Marriage and advocates for ending harmful practices generally but focuses on child marriage specifically. The Plan encourages States to implement national strategies to end child marriage, which are to be based on the Plan's guiding principles.<sup>484</sup>

In 2015, the AU Agenda 2063 was adopted, which notably explicitly calls for the elimination of all forms of gender-based violence, including harmful practices like FGM and child marriage and calls for "a concerted drive towards immediately ending child marriages, female genital mutilation and other harmful cultural practises that discriminate against women and girls."<sup>485</sup> The AU has also made commitments to getting to zero FGM in Africa by strengthening human rights, accelerating efforts and galvanising accountability.<sup>486</sup> The Saleema Initiative on Eliminating FGM<sup>487</sup> seeks to change the negative social norms in which FGM is rooted. It aims

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479 AU, 'Solemn Declaration on Gender Equality in Africa' (2004) (accessible [here](#)).

480 AU, 'Campaign to End Child Marriage' (2013) (accessible [here](#)).

481 Id at para 2.

482 Id at para 2.4.

483 5 Year Strategic Plan on AU Campaign to End Child marriage (2019 – 2023) (2022) (accessible [here](#)).

484 Id at para 5.3.

485 AU, 'Agenda 2063' (2015) (accessible [here](#)).

486 AU, 'Getting to zero Female Genital Mutilation in Africa' (accessible [here](#)).

487 AU Saleema Initiative on Eliminating FGM (2022) (accessible [here](#)).

to mobilise, recognise and amplify Member State-led efforts through advocacy efforts; capacity building capacities and technical assistance; strengthening continental data and evidence; and institutionalising an AU accountability framework among Member States.<sup>488</sup> These initiatives are important for placing harmful practices on the continental agenda, fostering a collective commitment among member states to address these issues as well as promoting engagement and discussion on the topics.

For example, several countries, including Ethiopia, Niger, Burkina Faso, Chad, DRC, Madagascar, Uganda, Zimbabwe, Mali, Sudan, Ghana, Eritrea, The Gambia, Senegal, Republic of Congo, Sierra Leone, Liberia, Cameroon, Nigeria, Kenya, Benin,<sup>489</sup> have developed national action plans aligned with the AU Campaign to End Child Marriage, which in turn has led to legal reforms and increased awareness.

### **Country Impact: Advancing National Action through the AU Campaign to End Child Marriage**

*The AU Campaign to End Child Marriage has catalysed significant national action across the continent. Several countries have developed dedicated strategies and plans that align closely with the Campaign's principles and objectives.*

*In Zambia, the National Strategy on Ending Child Marriage (2016-2021) and its costed National Action Plan aimed to reduce child marriage by 40% by 2021. The strategy reflects AU values by promoting legal reform, community engagement, and youth advocacy. They also drew directly from the AU Campaign. Pilot implementation in the Senanga and Katete districts further illustrates Zambia's commitment to translating strategic guidance into localised action.<sup>490</sup> Similarly, Zimbabwe adopted the Campaign with the theme "We are Girls not Brides," mobilising national and grassroots efforts through policy dialogue and youth engagement.<sup>491</sup>*

*Burkina Faso launched its National Strategy to End Child Marriage (2016-2025) shortly after the AU Campaign, focusing on prevention, victim support, systems strengthening, and robust coordination and monitoring. Its strategic framework mirrors the AU Campaign's multi-sectoral, rights-based approach.<sup>492</sup> In Mali, the Campaign was launched nationally under the banner "Education for girls, a means to eliminating early child marriage," with strong political leadership and calls to align national laws with AU standards.<sup>493</sup> Nigeria joined the Campaign in 2016, launching its National Strategy to End Child Marriage at the highest political level. Legal reform, awareness-raising, and multi-stakeholder engagement, including civil society and traditional leaders, demonstrated strong AU alignment. Advocacy led to the wider adoption of the Child Rights Act and the VAPP Act across Nigerian states.<sup>494</sup>*

*Together, these examples, of which there are many more, underscore the Campaign's role in triggering policy development, strategic planning, and national ownership in the fight to end child marriage across Africa.*

The Saleema Initiative, launched in Sudan in 2008 by the National Council for Child Welfare and UNICEF Sudan, has been a pioneering effort in the fight against FGM. Its success has not only led to significant changes within Sudan but has also inspired similar initiatives across Africa. Recognising the success of the Saleema Initiative, the AU adopted it as a continental strategy in 2019, aiming to eliminate FGM across Africa

488 Id at para 5.2.

489 See for example, AU, 'The Republic of Benin launches the AU Campaign to End Child Marriage and commemorates the Day of the African Child' (2017) (accessible [here](#)); AU, 'President John Mahama Launches the African Union Campaign to End Child Marriage in Ghana' (2016) (accessible [here](#)); AU, 'The Republic of Zimbabwe Launches AU Campaign to End Child Marriage in Africa' (2015) (accessible [here](#)).

490 Republic of Zambia - Ministry of Gender, 'National Strategy on Ending Child Marriage (2016-2021)' (accessible [here](#)).

491 AU, 'The Republic of Zimbabwe Launches AU Campaign to End Child Marriage in Africa' (2015) (accessible [here](#)).

492 Burkina Faso - Ministry of Social Action and National Solidarity, 'Three-Year Operational Action Plan for the National Strategy for the Prevention and Elimination of Child Marriage in Burkina Faso 2016-2018' (accessible [here](#)).

493 AU, 'The Republic of Mali launches the AU Campaign to End Child Marriage in Africa' (2015) (accessible [here](#)).

494 AU, 'African Union Post Country Monitoring Mission on Ending Child Marriage and other Harmful Practices' (2022) (accessible [here](#)).

by 2030. The AU's Strategic Plan (2019–2023) focuses on changing social norms, strengthening policies, and enhancing data collection to monitor progress.<sup>495</sup>

### **Saleema Initiative in action**

*As the birthplace of the Saleema Initiative, Sudan has showcased the positive value of the Initiative, incorporating the positive messaging approach through community engagement and education.<sup>496</sup> The Initiative's emphasis on community involvement led to numerous public declarations against FGM. For instance, in the Blue Nile State, girl-led campaigns under the Saleema framework resulted in entire communities pledging to abandon the practice.<sup>497</sup> Further to empower the younger generation, Saleema Girls' Clubs were established, providing platforms for girls to learn, discuss, and advocate against FGM. These clubs have been instrumental in fostering leadership and spreading anti-FGM messages among peers.<sup>498</sup> Historically, Saleema efforts were based in schools but have since been adapted to humanitarian settings due to Sudan's crisis. Now established in displacement camps and gathering areas, the clubs aim to reduce gender-based violence and harmful practices by fostering a protective environment for both displaced and host community girls.<sup>499</sup>*

*The Saleema Initiative also mobilises youth through its Youth Victorious Ambassadors programme, encouraging them to lead social norm change from within. It recognises that FGM is embedded in complex social, political, and economic contexts and seeks to shift harmful norms by building cognitive social capital within communities.<sup>500</sup> Saleema's success has inspired similar initiatives across the continent. Egypt's "Kamla" campaign ("complete") and Nigeria's "Odimma Nwanyi bu Ka Chi Siri Ke" ("the wholeness of a woman is as created by God") echo its core strategy of rebranding intactness positively. These campaigns have contributed to opening dialogue and public commitment to ending FGM.<sup>501</sup>*

The Saleema Initiative stands as a testament to the power of positive messaging and community engagement in challenging deep-rooted cultural practices. Its influence extends beyond Sudan, inspiring national action plans and community-led efforts across Africa. As the Initiative continues to evolve, it offers a scalable model for other countries aiming to eradicate FGM and protect the rights of girls and women.

The AU Accountability Framework on the Elimination of Harmful Practices (2023–2025) is a continent-wide mechanism that seeks to support strengthening Member States' obligation to combat harmful practices as part of collective efforts towards Agenda 2063 goals.<sup>502</sup> It aims to equip states with standardised tools for monitoring, reporting, reviewing progress, and aligning national policy and budgets with AU commitments. If properly utilised, it has the potential to catalyse measurable accountability across the continent. By offering standardised reporting and inclusive review processes, it enhances transparency, promotes stakeholder coordination, and ensures that States are both guided and held responsible for protecting women and girls from harmful practices.

495 AU, 'Strategy 2019 – 2023' (accessible [here](#)).

496 A Johnson et al, 'Qualitative evaluation of the Saleema campaign to eliminate female genital mutilation and cutting in Sudan' (2018) (accessible [here](#)).

497 UNFPA, 'Girl-led campaigns rally Sudanese communities to reject FGM' (2023) (accessible [here](#)).

498 UNICEF, 'Saleema Girls' Clubs: A case study from White Nile' (2022) (accessible [here](#)).

499 UNFPA-UNICEF, 'Annual Report of FGM Joint Programme: Addressing global challenges with local solutions to eliminate female genital mutilation' (2023) (accessible [here](#)).

500 Call For Applications For Saleema Youth Victorious Ambassadors and Saleema Brothers (2023) (accessible [here](#)).

501 UNFPA-UNICEF, 'Annual Report UNFPA-UNICEF Joint Programme on Female Genital Mutilation/Cutting: Accelerating Change' (2015) (accessible [here](#)).

502 AU, 'Accountability Framework on the Elimination of Harmful Practices' (2022) (accessible [here](#)); AU 'Getting to Zero' (above n 486).

## Regional efforts

Regional mechanisms play a crucial role in reinforcing national efforts to end harmful practices. These mechanisms offer a platform for coordinated policy harmonisation, shared accountability, technical cooperation, and peer learning among Member States. Regional frameworks, such as model laws, child protection policies, and costed action plans, are particularly effective in driving normative alignment across borders, supporting legal and policy reforms, and ensuring that efforts are aligned with continental commitments like the AU's Campaign to End Child Marriage and the Saleema Initiative on Eliminating FGM. Furthermore, regional bodies are uniquely positioned to address transboundary challenges, such as cross-border FGM, and can mobilise political will and technical resources that transcend national limitations. By working collectively, Member States can be better equipped to generate momentum, monitor progress, and sustain long-term efforts to protect children's rights.

The ECOWAS Child Policy and its Strategic Action Plan (2019-2023) aligns with the AU's position to eradicate FGM and child marriage.<sup>503</sup> It further identifies five priority areas within the region, including preventing and responding to FGM and child marriage.<sup>504</sup> The Policy states that Member States should meet a number of obligations in order to achieve the objectives of the Policy. This, amongst others, includes ensuring the harmonisation of their national policies to the Policy; implementing effective resource mobilisation strategies to integrate all sectors of society; and ensuring the effective mainstreaming of the rights of the child in all areas of national development planning.<sup>505</sup>

The SADC Model Law on Eradicating Child Marriage and Protecting Children Already in Marriage provides a guide for Member States to implement national legislation aimed at eradicating child marriage and seeks to trigger policy reforms and legislative development across Member States.<sup>506</sup> The SADC Model Law on GBV includes references to harmful practices, including early marriage, forced marriage, and FGM.<sup>507</sup>

The EAC Child Protection Policy (2016) engages several strategies in order to protect children's rights, including harmonising the minimum age of marriage to 18 years in national frameworks, as well as putting in place and strengthening collaborative frameworks to prevent and respond to cross-border FGM.<sup>508</sup> It also encourages Member States to adopt and implement laws to achieve the Policy's goals. The Costed Regional Action Plan to End Cross-Border FGM focuses on proactively addressing cross-border FGM in the region.<sup>509</sup>

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503 ECOWAS Child Policy (2019) (accessible [here](#)).

504 Id, page 12.

505 Id at para 5.2.2.

506 SADC Model Law on Eradicating Child Marriage and Protecting Children Already in Marriage (2016) (accessible [here](#)).

507 SADC Model Law on Gender Based Violence (2022) (accessible [here](#)).

508 EAC Child Protection Policy (2016) (accessible [here](#)).

509 Costed Regional Action Plan to End Cross-Border FGM (2022) (accessible [here](#)).

It seeks to do so through remedying structural deficiencies and inadequate cross-border collaboration;<sup>510</sup> encourages States to improve legislation and policy frameworks; engage in intercountry agreements on handling cross-border case management; participate in communication and advocacy campaigns; and build capacity for data generation and utilisation.<sup>511</sup> More recently, the East African Legislative assembly enacted the EAC Prohibition of Bill on FGM.<sup>512</sup> This move is endorsed by CSOs and States as a “critical step forward” in outlawing FGM.<sup>513</sup>

### **Success of Regional Mechanisms**

*ECOWAS’ Policy and Plan identifies five key priorities, including the prevention and response to harmful practices. The ECOWAS Policy provides a common framework to encourage Member States to align national laws and policies with regional commitments, ensuring that interventions are consistent across borders. Countries like Nigeria and Burkina Faso have aligned aspects of their national strategies on child protection with the ECOWAS Policy, including passing or strengthening laws that criminalise child marriage and FGM.<sup>514</sup> The Action Plan promoted the integration of child rights into broader national development planning, mobilising various sectors, education, health, and justice, in a cohesive strategy. This example illustrates how regional policies can act as a catalyst for national legal reforms and foster greater policy coherence across a sub-region. The ECOWAS Plan also offers an example of how regional commitments can trigger government accountability for cross-sectoral implementation.*

*The 2016 SADC Model Law on Eradicating Child Marriage and Protecting Children Already in Marriage, which guides Member States in formulating and reforming national legislation aimed at eradicating child marriage, has led to increased legislative action and awareness campaigns across Member States, contributing to a decline in child marriage rates. For example, Mozambique used the SADC Model Law on Eradicating Child Marriage as a key reference in its legal reform process.<sup>515</sup> In 2017, a multi-stakeholder taskforce, including judges, parliamentarians, and civil society, was established to draft a standalone law on child marriage. The Model Law informed the taskforce’s efforts to address inconsistencies and gaps in existing legislation, particularly regarding the minimum legal age of marriage and enforcement mechanisms. Additionally, following a 2017 constitutional amendment that raised the minimum age of marriage to 18 without exceptions, Malawi launched a comprehensive legal review to align all relevant laws with this new standard and with regional and continental frameworks. A government-led taskforce, including ministries, UN agencies, and civil society, is using the SADC Model Law to guide and benchmark reforms across various statutes, including the Penal Code and the Child Care, Protection and Justice Act.<sup>516</sup>*

## **Key actors**

Continental and regional efforts to combat harmful practices have been significantly bolstered by the active involvement of key actors, including First Ladies, the AU Goodwill Ambassador on Ending Child Marriage, Presidential Champions, and the AU Special Rapporteur on Child Marriage and Other Harmful Practices. These actors have utilised their platforms to advocate for policy reforms, raise awareness, and mobilise resources, leading to tangible progress in various African countries.

### **First Ladies as Catalysts for Change**

510 Id at page 23.

511 Id at page 25.

512 EAC, ‘House enacts Two Key Bills as it Adjourns’ (accessible [here](#)).

513 UNICEF, ‘Five years to zero: the race to end FGM by 2030 Strengthening alliances and building movements to end female genital mutilation in Eastern and Southern Africa’ (2025) (accessible [here](#)).

514 Girls Not Brides, ‘Burkina Faso’ (accessible [here](#)); Girls Not Brides, ‘Nigeria’ (accessible [here](#)).

515 UNFPA, ‘A Guide to Using the SADC Model Law on Eradicating Child Marriage and Protecting Children Already in Marriage For Parliamentarians, Civil Society Organisations and Youth Advocates’ (2018) (accessible [here](#)).

516 Id.

First Ladies across Africa have emerged as influential advocates in the fight against harmful practices such as child marriage and FGM. Their high-level engagement has helped to drive national commitments, raise awareness, and push for legislative reform. In Sierra Leone, First Lady Fatima Maada Bio launched the Hands Off Our Girls Campaign in 2018 to address child marriage and sexual violence.<sup>517</sup> This sustained advocacy contributed to the landmark enactment of the Prohibition of Child Marriage Act in 2024, which criminalises child marriage and imposes strict penalties on offenders. The campaign has also empowered girls through education and public messaging, contributing to a shift in social attitudes.<sup>518</sup>

Elsewhere, First Ladies have voiced strong commitments to ending FGM. At an international conference in Rome, the First Ladies of Niger, Burkina Faso, and Benin pledged to eradicate the practice in their countries. Niger's First Lady, Lalla Malika Issoufou, stressed presidential backing and the need to strengthen legal protections. First Lady Sika Kabore of Burkina Faso highlighted education and economic empowerment for girls as central to fighting FGM and child marriage. In Benin, where the practice has gone underground, the First Lady called for renewed action to enforce anti-FGM laws.<sup>519</sup>

In Liberia, First Lady Clar Weah used her platform to urge African leaders to work collectively to protect girls, stating: "We renew our commitment to create a safe world for our girls in Africa. We entreat all presidents and heads of states to join us."<sup>520</sup> In Nigeria, First Lady Senator Oluremi Tinubu has called for stronger, sustained efforts to end FGM. Marking the International Day of Zero Tolerance for FGM, she highlighted that over 20 million women and girls in Nigeria have undergone the practice. She warned that without urgent action, 14 million more could be at risk by 2030. While recognising existing progress through government, civil society, and traditional institutions, she underscored the need for intensified collaboration and action to fully eradicate FGM.<sup>521</sup> Together, these First Ladies play a vital role in keeping harmful practices high on political and public agendas, helping to catalyse the legal, social, and cultural change needed to protect women and girls across the continent.

## **Presidential Champions and the AU Goodwill Ambassador**

Presidential Champions and the AU Goodwill Ambassador and have played pivotal roles in advocating for the eradication of harmful practices. Their high-profile status enables them to influence policy and mobilise support at both national and regional levels. It is critical to continue to support their mandates and ensure continuity of appointment to sustain progress towards ending harmful practices on the continent.

517 Give them a Hand, 'First Lady of Sierra Leone: "Hands off our girls" campaign' (2021) (accessible [here](#)).

518 The Guardian, 'Sierra Leone has banned child marriage – to truly set women free it must end FGM' (2024) (accessible [here](#)).

519 E Batha, 'First ladies vow to fight "barbaric" genital mutilation in W. Africa' TRF News (2017) (accessible [here](#)).

520 L Mogoathhle, '#HandsOffOurGirls: Africa's First Ladies Demand an End to Child Marriage' Global Citizen (2019) (accessible [here](#)).

521 B Ogundele, 'First Lady reaffirms commitment to ending FGM in Nigeria' The Nation (2025) (accessible [here](#)).

Presidential Champions play a strategic role in promoting high-level political support for priority issues on the continent. Their mandate includes strengthening collaboration among Heads of State, fostering ownership of AU initiatives at the highest political level, and promoting peer learning and review. By galvanising political will and visibility, AU Champions help drive implementation of key continental programmes.<sup>522</sup> As the AU Champion on Ending Child Marriage, President Edgar Chagwa Lungu of Zambia led critical advocacy efforts to eliminate child marriage across Africa. During his tenure, he highlighted legal and policy reforms, national campaign launches, and sustained political commitment across Member States.<sup>523</sup> He emphasised the role of awareness-raising efforts, including an Open Session at the AU Peace and Security Council, which addressed child marriage in conflict settings. He also championed the use of the Joint General Comment on Ending Child Marriage by the ACERWC and ACHPR to strengthen state accountability under the African Charter and the Maputo Protocol.

### ***Role and Achievements of the AU Goodwill Ambassador on Ending Child Marriage<sup>524</sup>***

*Appointed in 2014 by the African Union Commission, Dr. Nyaradzayi Gumbonzvanda served as the AU's first Goodwill Ambassador on Ending Child Marriage for eight years. Her mandate focused on high-level advocacy, norm change, and youth empowerment, playing a transformative role in elevating child marriage as a political and human rights priority across the continent. Dr. Gumbonzvanda engaged directly with Heads of State, Ministers, parliamentarians, civil society, and youth networks to build continental consensus and advance legal and policy frameworks protecting girls. She was instrumental in securing continental decisions, including contributing to the 2023 Heads of State decision calling for the development of the AU Convention on Violence Against Women and Girls. A key part of her work involved shifting social norms by engaging traditional and religious leaders. She founded the Council of Traditional Leaders in Africa and the Pan-African Alliance to End Child Marriage, both of which championed culturally-rooted pathways to eliminate harmful practices like child marriage and FGM.*

*The Ambassador prioritised girl-led advocacy, creating safe and visible platforms for girls to engage with decision-makers at AU Summits and global forums, including the UN Human Rights Council in 2015. She mobilised resources to support the participation of girls from rural and marginalised communities, enabling them to share lived experiences and influence policy dialogue directly. Her work empowered a new generation of African girl advocates and supported the establishment of regional youth networks, including in the SADC region. On the legal reform front, Dr. Gumbonzvanda contributed to significant legislative milestones. She advocated for Zimbabwe's 2022 Marriage Act, which aligned with the Constitution and set the minimum age of marriage at 18 without exception. In Mozambique, her support was pivotal to the passage of the 2019 Family Law and its 2022 revision, which criminalised child marriage and reinforced child protection mechanisms.*

*Dr. Gumbonzvanda's tenure exemplified a holistic, participatory, and multi-level approach to ending child marriage, linking grassroots activism, regional coordination, and continental leadership to drive lasting change. However, the role of the AU Goodwill Ambassador on Ending Child Marriage has unfortunately remained vacant since Dr. Gumbonzvanda's term ended in 2022.*

## **AU Special Rapporteur on Child Marriage and Other Harmful Practices**

The AU Special Rapporteur on Harmful Practices plays a pivotal role in monitoring, reporting, and advocating for the elimination of harmful practices across the continent. The Special Rapporteur provides expert analysis, offers recommendations, and ensures that member states uphold their commitments to protect the rights

522 AU, 'Champion Presidents' (accessible [here](#)).

523 AU, 'President Lungu briefs African Union Assembly on progress in continental Campaign to End Child Marriage' (2017) (accessible [here](#)).

524 N Gumbonzvanda, 'Protecting Rights & Unleashing Potential for Girls Exit Report of the Former African Union Goodwill Ambassador on Ending Child Marriage (2014 – 2022) (accessible [here](#)).

of women and children.<sup>525</sup>

A notable instance of the Special Rapporteur's impact is the intervention in The Gambia in 2024. When the Gambian National Assembly considered a bill to repeal the ban on FGM, the Special Rapporteur, alongside the ACHPR and ACERWC, issued a joint press statement expressing deep concern over the potential reversal of progressive legal measures. They highlighted that lifting the ban would contravene the African Charter on Human and Peoples' Rights, the Maputo Protocol, and the African Children's Charter, all of which The Gambia is a party to. Letters were also issued to The Gambia from the Special Rapporteur, and a round table was convened in collaboration with the Special Rapporteur to address the developments.<sup>526</sup> This advocacy likely contributed to the National Assembly's decision to dismiss the proposed amendment, thereby maintaining the criminalisation of FGM in the country.<sup>527</sup> The same approach was taken by the Committee in October 2024 and in May 2025 with regard to the enactment of the Child Rights Act in Sierra Leone in an attempt to remove the expressed prohibition of FGM.<sup>528</sup>

Furthermore, the Special Rapporteur has been instrumental in promoting the domestication and implementation of the Joint General Comments on child marriage and FGM, developed by the ACHPR and ACERWC. These Joint General Comments provide comprehensive guidance to Member States on legislative and administrative measures to identify, rectify, and bring justice to victims of harmful practices. By advocating for a multi-sectoral approach that involves traditional leaders and communities, the Special Rapporteur ensures that efforts to eliminate harmful practices are culturally sensitive and community-driven. Through these concerted efforts, the AU Special Rapporteur on Child Marriage and Other Harmful Practices continues to play a critical role in advancing the rights of women and children, ensuring that harmful practices are addressed through legal reforms, community engagement, and sustained advocacy.

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525 ACERWC, 'Resolution on the Appointment of a Special Rapporteur on Child Marriage and Other Harmful Practices in Africa' (2017) (accessible [here](#)). The first Special Rapporteur was Mrs Marie Christime Bocoum from 2017-2022; the current is Mrs Kembo Takam Gatsing Hermine.

526 ACHPR, 'Joint Press Statement: Roundtable On The Proposed Repeal Of FGM Law In The Gambia' (above n 111).

527 ACERWC, 'Expression of Concern by the ACHPR and the ACERWC over the Ongoing Debate on FGM and the proposed Women's (Amendment) Bill 2024 in Gambia' (2024) (accessible [here](#)).

528 ACERWC, Joint Statement ACERWC\_ACHPR on the Upcoming Reading of the Child Rights Act\_19-May-2025\_Sierra Leone, <https://www.acerwc.africa/en/article/press-release/joint-statement-acerwcatchpr-upcoming-reading-child-rights-act19-may>.

## CHAPTER 5: CONCLUSION AND RECOMMENDATIONS

The persistence of harmful practices in many African countries, despite decades of advocacy, legal reforms, and regional campaigns, highlights the deep-rooted sociocultural norms and systemic gaps that continue to enable these violations. The persistence of these harmful practices is compounded by gaps or inconsistencies within the legal frameworks, weak enforcement, lack of accountability, and challenges in accessing justice for survivors, especially in rural and conflict-affected areas. Many cases go unreported due to stigma, fear of retaliation, and limited survivor support services. In some countries, debates around regressive legal frameworks underscores the need for sustained vigilance and advocacy. In other instances, the lack of legal frameworks renders the protection of fundamental rights for children hollow.

To achieve lasting change in the fight against FGM and child marriage, countries must fully incorporate international and regional human rights treaties, conventions, and protocols into domestic legal systems to ensure binding obligations on the state. In countries where constitutional or legal loopholes indirectly legitimise harmful practices, legal reforms should prioritise the amendment of national constitutions and family laws to align with international standards. Legal reforms should ensure that there are strong protections for girls and women who are vulnerable to or survivors of harmful practices. Efforts will also need to extend beyond legal reforms to include robust enforcement mechanisms, community-driven interventions, and investment in education and social protection systems. Governments must take proactive measures to challenge harmful norms, empower girls with knowledge and resources, and ensure that survivors receive the necessary support.

Fortunately, as detailed above, significant progress has been made in recent years in the fight against harmful practices. This progress includes the adoption of comprehensive legal frameworks that criminalise these practices, along with a growing body of policies that aim to protect children and women from GBV. Additionally, there has been a marked increase in public awareness campaigns, both at the grassroots and national levels, that have helped shift societal attitudes towards these harmful traditions. The successful efforts in various countries provide valuable lessons and best practices that can be drawn upon by others in their own advocacy and reform efforts. These advancements demonstrate that while challenges remain, tangible progress is possible, and the continued application of these strategies will be essential in eradicating harmful practices across the continent.

Fortunately, efforts to combat FGM and child marriage in Africa have benefited from a strong normative framework, particularly the Joint General Comments. These instruments set out clear standards for state obligations to eliminate harmful practices. Accordingly, they are useful in considering recommendations structured around reinforcing existing standards, addressing persistent implementation challenges, and

identifying opportunities for accelerated progress:

## **1. *Ensure Comprehensive Legal Reform and Harmonisation***

Although many AU Member States have enacted laws banning FGM and child marriage, legal loopholes and inconsistencies continue to undermine their effectiveness. Customary and religious laws sometimes permit or even encourage harmful practices, creating contradictions within national legal systems.

### **Recommendations:**

Harmonise national, customary, and religious legal frameworks with the African Charter on the Rights and Welfare of the Child, the Maputo Protocol, and the Joint General Comments.

Ensure that the minimum age of marriage is set at 18 years without exceptions. Remove exceptions that allow child marriage under customary or religious grounds, or with parental or judicial consent.

Strengthen enforcement mechanisms, ensuring penalties are applied commensurate with the gravity of the offence while also upholding child protection standards and access to justice for survivors.

Enact comprehensive legislation that goes beyond mere criminalisation, and put in place prevention, response and survivor-support measures to address harmful practices

## **2. *Invest in Coordinated, Multi-Sectoral Implementation***

The response to FGM and child marriage is often fragmented, with limited coordination between key sectors such as health, education, justice, and social welfare.

### **Recommendations:**

Establish and strengthen national coordination bodies that bring together relevant ministries, civil society, and traditional and religious leaders to implement and monitor national action plans.

Allocate adequate monetary and human resources to the national coordination bodies to enable them to fulfil their mandates and functions.

Integrate responses to FGM and child marriage into broader national development strategies, including gender equality, education, and sexual and reproductive health.

Develop and support effective referral systems to provide survivors and at-risk girls with integrated health, psychosocial, legal, and protective services.

Establish and support the operationalisation of safe houses or shelters for women or girls at risk to seek safety.

### **3. *Promote Community Engagement and Social Norm Change***

Both FGM and child marriage are driven by deep-rooted gendered social and cultural norms. Attempts to address these practices without meaningful community involvement are likely to fail.

#### **Recommendations:**

Engage traditional, religious, and community leaders to publicly denounce harmful practices and support alternative rites of passage or community declarations.

Support community dialogues that foster intergenerational discussion and consensus for change, with a focus on the rights and dignity of girls.

Prioritise locally driven campaigns that are context-specific and led by trusted community actors, including survivors and youth advocates.

### **4. *Strengthen Accountability, Data, and Monitoring Systems***

There is a lack of comprehensive data on the prevalence and drivers of FGM and child marriage in many countries, making it difficult to design evidence-based interventions or track progress.

#### **Recommendations:**

Strengthen national data collection systems, including civil registration and child protection databases, with disaggregated data by age, gender, and geography.

Ensure regular reporting to the ACERWC on the implementation of obligations under the Joint General Comments and relevant treaties.

Enhance the role of national human rights institutions and civil society organisations in monitoring compliance, identifying violations, and pushing for reforms.

### **5. *Sustain Political Will and Allocate Adequate Resources***

The progress made through AU campaigns and champion-led advocacy must be supported by sustained political leadership and domestic resource mobilisation.

#### **Recommendations:**

Secure dedicated government units and budget lines within national ministries responsible for children and gender to implement anti-FGM and anti-child marriage strategies.

Ensure adequate budgetary allocation to the government agencies responsible for the implementation of child marriage and FGM-related laws to facilitate full and effective implementation of these laws, including but not limited to the police, judiciary, child protection agencies and agencies concerned with birth and marriage registration.

Institutionalise regular reporting on progress, challenges, and priorities, such as through AU Summits or regional fora.

Leverage the work of AU-appointed Champions, Special Rapporteurs, and Goodwill Ambassadors to amplify national and regional efforts and keep harmful practices high on the political agenda.

## **6. *Empower Girls and Young Women as Agents of Change***

The long-term elimination of FGM and child marriage requires the full participation and leadership of girls and young women in shaping policies that affect them.

### **Recommendations:**

Establish safe platforms and meaningful participation opportunities for girls and adolescents in local, national, and AU-level decision-making.

Provide resources and mentorship for girl-led organisations and youth advocates working to end harmful practices.

Integrate gender-transformative education and comprehensive sexuality education into school curricula to promote equality, autonomy, and rights awareness from an early age.

By implementing these recommendations, States can take meaningful steps to protect women and girls from harmful practices while fostering cross-regional learning and localised responses to gender-based violence. Addressing FGM and child marriage requires a multifaceted approach that combines legal reforms, strengthened enforcement mechanisms, community engagement, and socioeconomic interventions.

While challenges persist across all countries, targeted, context-specific strategies are necessary to account for legal, cultural, and political variations. Regional cooperation, international advocacy, and sustained local engagement remain critical to driving lasting change. By fostering cross-country learning and leveraging best practices, stakeholders, including governments, civil society, religious leaders, and the private sector, can work together to eliminate these harmful practices and protect the rights of women and girls across Africa.

The African continent has made significant normative progress in tackling FGM and child marriage. The standards established in the Joint General Comments offer a clear and unified framework for state action. What is now needed is a renewed focus on implementation, accountability, and sustained investment. By reinforcing existing obligations, addressing the most persistent challenges, and placing girls and communities at the centre of action, Member States can accelerate the elimination of these harmful practices and uphold the rights of every child.

