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Centre for Human Rights
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PRESS STATEMENT

CENTRE FOR HUMAN RIGHTS WELCOMES THE ADOPTION OF THE GENERAL COMMENT ON ENDING CHILD MARRIAGE

12 February 2018

The Centre for Human Rights welcomes the adoption of the Joint General Comment on Ending Child Marriage by both the African Commission on Human and Peoples' Rights and the African Committee of Experts on the Rights of the Child.

The African Commission on Human and Peoples' Rights (African Commission) working together with the Committee of Experts on the Rights of the Child, in accordance with Article 45(1)(c) of the African Charter on Human and Peoples' Rights which mandates the African Commission to cooperate with other African and international institutions concerned with the promotion and protection of human and peoples' rights, adopted their first ever joint General Comment. The General Comment can be accessed on the Centre's [website](#).

The General Comment is based on the provisions of 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 (Maputo Protocol), which both call for an end to child marriages.

Article 21(1) of the African Children's Charter directs states parties to take all appropriate measures to eliminate harmful social and cultural practices affecting the welfare, dignity and normal growth of the child and in particular, those practices which are prejudicial to the health or life of the child and those practice which are discriminatory to the child on the grounds of sex or other status.

Article 21(2) makes this obligation even more explicit, declaring that "child marriage and the betrothal of girls and boys shall be prohibited and effective action, including legislation, shall be taken to specify

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the minimum age of marriage to be 18 years and make registration of all marriages in an official registry compulsory." The Maputo Protocol in Articles 6(a) and 6(b) obligates state parties to ensure that legislative measures are in place to guarantee that no marriage shall take place without the free and full consent of both parties and sets the minimum age of marriage for women at 18 years.

This joint General Comment to End Child Marriage provides for the age of marriage to be 18 years - with no exception. It provides a comprehensive interpretation of the duties of state parties in prohibiting child marriage including legislative, institutional and other measures. The Centre for Human rights welcomes the adoption of the joint General Comment to End Child Marriage as an essential tool towards the eradication of child marriages and the protection of children at risk.

Child marriages have a costly impact on young girls. Girls who enter into marriages are burdened with adult responsibilities and realities for which their bodies are ill prepared for. They are usually at higher risk of violence during the course of the marriage and their health and wellbeing is highly compromised. Most are forced to drop out of school trapping them in a cycle of poverty. Some of the health consequences include high risk of sexual transmitted infection, early, closely spaced and frequent pregnancy with poor outcomes for both the mother and child. The young girls have limited access to contraception, and health-related information that they need to make informed healthcare decisions. They are also at high risk of reproductive health conditions such as obstetric fistula, and the psychological and mental health consequences of early motherhood. A study conducted by the Centre for Human Rights on child marriage in Africa can be found on the Women's Rights Unit's [website](#).

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