



United Nations Human Rights Council: 26th Session (10th to 27th June 2014)
Panel on Preventing and Eliminating Child, Early and Forced Marriage
Monday 23rd June
Speaker: BHA Representative, Amelia Cooper
CEFM: The Implementation Gap and Regressive Laws

Thank you Mr President.

We welcome the very comprehensive report presented before this panel, notably the practicality of the recommendations and the inclusive study of the causes and consequences of child, early and forced marriage, and thank OHCHR for their continued and expansive efforts to combat this scourge.

The international legal obligations to end CEFM are clearly defined, and we welcome the increase in specific domestic legislation targeting it: as such, we would like to congratulate the UK on their recent adoption of a law targeting forced marriage, and note the precedent set by their Forced Marriage Unit and sensibilisation of the police force¹.

However, there remains a twofold implementation gap in many States: firstly, in the translation of international legal obligations in to domestic legislation; and secondly, in the real enforcement of national law.

Not only are some States failing to incorporate normative marital standards in to their penal codes, regressive laws that would reduce the minimum age for girls to marry to just 9 years old have been proposed in Iraq² and Iran³. Such acts are demonstrative of the persistent gender inequitable attitudes within governments, and the ongoing desire for patriarchal dominance. Legislative inequality is a fundamental obstacle to combating forced marriage, legitimizing the *'myriads of social pathologies'*⁴ that support CEFM. The commitment to combating CEFM of States who have not taken steps to create de jure equality must therefore be questioned.

With atavistic laws, such as those facilitating the abuse and violating the human rights of young girls, in mind, may we ask the panel what steps can be taken towards ensuring that States with persisting legislative inequality are brought to account? And what, as an international community concerned with the human rights of all, we can do to help better protect them?

Thank you.

¹ <https://www.gov.uk/forced-marriage>

² Jaafari Personal Status Law, http://www.huffingtonpost.com/2014/04/30/iraq-child-marriage-law-vote_n_5234828.html

³ <http://www.digitaljournal.com/article/329317>

⁴ <http://www.opendemocracy.net/arab-awakening/oguz-alyanak-funda-ustek/inconvenient-truth-about-child-brides%0A>