KATHMANDU DECLARATION

Declaration of the
South Asia Parliamentarians’ Meeting on Child Marriage:
“Accelerating our Collective Efforts to End Child Marriage”

22-23 March 2016, Kathmandu, Nepal

We Parliamentarians, representing 13 countries from the Asia Pacific Region, gathered together on 22-23 March, 2016 in Kathmandu, Nepal, to discuss the importance of designing and implementing laws and policies to promote accountability and accelerate our collective efforts both nationally and sub-regionally for ending early, forced and child marriage.

Preamble

Recognizing early, child, and forced marriage as a grave violation of fundamental human rights, an unlawful harmful practice, and a severe form of violence against children and child labor;

Understanding early, child, and forced marriage is often a symptom of entrenched gender inequality, social inequality, poverty, and inter-generational violence and discrimination;

Recognizing that the elimination of early, child, and forced marriage is necessary for strengthening universal peace and freedom, and to achieve the Sustainable Development Goals and the International Conference on Population and Development priorities [according to SDG Target 5.3];

In light of the Convention on the Elimination of all Forms of Discrimination Against Women, in its Article 16(2), obliging all signatory States to adopt a minimum age for marriage, require marriage registration, and nullify the betrothal and marriage of children;

Considering the Convention on the Rights of the Child, setting an international standard for the definition of a child as any person under the age of 18 in its Article 1, and calling for the abolition of traditional practices prejudicial to the health of children in its Article 24;

Recalling the Universal Declaration of Human Rights, the International Convention on Civil and Political Rights, and the International Convention on Economic, Social, and Cultural Rights, obliging States to promote gender equality and equal access to education and opportunity through legislation and policy, and to take steps, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in these instruments;

Asserting that our sub-regional inter-governmental bodies, the South Asian Association for Regional Cooperation (SAARC), the Association of Southeast Asian Nations (ASEAN), and the Pacific Islands Forum (PIF), and Parliaments in Central Asia have a critical role to strengthen accountability of member States to mainstream gender equality and SRHR priorities and enable parliamentarians and all branches of government to play an essential advocacy and monitoring role on policy and legal reform and implementation;

Recalling existing national-level commitments of all of our member States to eradicate early, child, and forced marriage, achieve gender equality, and protect children from all forms of violence;

Reaffirming the crucial role of parliamentarians in ensuring policy and legislative changes are adequately resourced, communicated, and implemented to eradicate the practices of early, child, and forced marriage;

Recalling the duty of parliamentarians to support the development of effective, accountable, and transparent institutions and ensure participatory decision-making at all levels;

We hereby endorse and embrace the Kathmandu Commitment to accelerate our collective efforts to end early, child, and forced marriage to:

1. Identify and address, and have a zero-tolerance policy towards early, child, and forced marriage as a fundamental violation of human rights, a form of violence against women and children, a form of child abuse and child slavery, and as a public health crisis, and commit legislative, political, and financial efforts and resources to eradicate it;

2. Ensure all States adopt and implement a comprehensive and harmonized set of laws that establish the minimum age for marriage at no lower than age 18, for all genders, define child marriage in accordance with international standards, adopt and implement laws making birth and marriage registration free and compulsory, adopt and implement penalties for the perpetrators of child marriage that fit the gravity of the crime, and end impunity for early, child, and forced marriage;

3. Commit resources to understanding and addressing the role of men and boys in the continuation of gender inequality and early, child, and forced marriage, both as perpetrators and victims of early, child, and forced marriage, and promote the universal understanding of the harmful effects of early, child, and forced marriage and early and frequent childbearing, particularly upon young girls;

4. Engage a multi-stakeholder approach to addressing early, child, and forced marriage on national and sub-national levels, enhancing the direct participation of children in the process, as well as civil society advocates for the rights of women and children;

5. Design appropriate legislative measures to create legal and social remedies for the survivors of early, child, and forced marriage, such as alimony, compensation, marriage annulment, educational and healthcare assistance, and psycho-social support;

6. Design policies and action plans that carefully consider the root causes of early, child, and forced marriage in each country-context, dedicating adequate financial resources to research, policy design, planning, and implementation, as well as strict oversight of financial and program activities;
7. Promote universal public awareness of the dire health consequences of early, child, and forced marriage, both for the young spouses and their children;

8. Ensure that gender equality, women’s empowerment, the eradication of child marriage, and the eradication of all forms of violence against women and children remain priority legal, program, and policy issues;

9. Increase the active and meaningful participation of women and girls in civic, political, and social life, and provide for free and compulsory school enrollment and attendance through reducing or eradicating school fees, increasing geographic access to schools, incorporating comprehensive sexuality and reproductive health education for all, and developing alternative and vocational programs to reach children who are no longer in formal education;

10. Enhance legislative and policy protections for women’s and girls’ access to and control over property and other assets in order to enhance their economic opportunities and social status, reducing their vulnerability to early, child, and forced marriage;

11. Foster collaboration, partnerships and interdependence among branches of government, and create and support partnerships between government, political parties, regional and national human rights institutions, local community leaders, faith communities, civil society organizations, non-governmental organizations, and inter-governmental and donor organizations, with the aim of creating holistic, effective, and sustainable solutions to the root causes of early, child, and forced marriage.