



HUMAN  
RIGHTS  
WATCH

# “Our Time to Sing and Play”

Child Marriage in Nepal

## SUMMARY AND RECOMMENDATIONS



A girl plays in a public park in Patan, Nepal. Thirty-seven percent of girls in Nepal marry before age 18, and 10 percent are married by age 15. The minimum age of marriage under Nepali law is 20 years of age. April 24, 2016.

**Thirty-seven percent of girls in Nepal marry before age 18 and 10 percent are married by age 15, in spite of the fact that the minimum age of marriage under Nepali law is 20 years of age. Boys also often marry young in Nepal, though in lower numbers than girls. UNICEF data indicates that Nepal has the third highest rate of child marriage in Asia, after Bangladesh and India.**

In interviewing dozens of children and young people, Human Rights Watch learned that these marriages result from a web of factors including poverty, lack of access to education, child labor, social pressures, and harmful practices. Cutting across all of these is entrenched gender inequality, and damaging social norms that make girls less valued than boys in Nepali society.

Many of the marriages we heard about were arranged—and, often, forced—by girls’ parents, or other family members. In some areas of the country, families marry girls at ages as young as one and half years old. We heard some children describe their unions as “love marriages.” In Nepal, the term love marriage is commonly used to refer to a marriage not arranged by the bride and groom’s families. Usually it refers to a situation where the two spouses have decided themselves to get married, sometimes over the opposition of one or both of their families. Although different from arranged marriages, love marriages among children are often triggered by the same social and economic factors.

The consequences of child marriage amongst those we interviewed are deeply harmful. Married children usually dropped out of school. Married girls had babies early, sometimes because they did not have information about and access to contraception, and sometimes because their in-laws and husbands pressured them to give birth as soon, and as frequently, as possible.

Early childbearing is risky for both mother and child, and many girls and their babies suffer devastating health consequences. Six of the young women we interviewed had babies that had died, and two of them had each endured the death of two of their children.



Tilmaya M., 18, eloped and married a 20-year-old man when she was 15. Her husband comes from her village in Chitwan, Nepal. Tilmaya said when she was 11 years old, her father took her out of school and sent her to Pokhara to work as a domestic worker.  
April 11, 2016.

Our interviews also echoed what research has shown globally: girls who marry as children are more likely to be victims of domestic violence than women who marry later. We interviewed girls who endure constant beatings and verbal abuse at the hands of their husbands and in-laws, girls who are raped repeatedly by their husbands, girls who are forced to work constantly, and girls who have been abandoned by their husbands and in-laws.

The Nepal government has taken some action to stop the practice of child marriage, but not enough. A national plan to reduce child marriage has met with long delays. Protective factors, such as access to quality schools and health information and services, remain out of reach for many children.

This report is based primarily on interviews with 104 children and young adults who married as children, as well as interviews with parents, teachers, health care workers, police officers, government officials, activists, and experts.



A five-year-old girl sits in a nursery school, which she is attending with a scholarship funded by a private sponsor. Quality education provides protection from child marriage—girls who are in school are less likely to marry.  
April 12, 2016.

We conducted interviews across Nepal. While the majority of interviewees were Hindu, we also interviewed people from Nepal’s Buddhist, Muslim, and Christian communities. Although our interviewees came from a range of ethnic and caste backgrounds, the majority of the married children we interviewed were from Nepal’s Dalit or indigenous communities, a reflection of the fact that child marriage is more prevalent in marginalized and lower caste communities. Due to entrenched and dehumanizing discriminatory practices by both state and non-state actors, Dalit and Janjati communities, as indigenous groups are called in Nepal, are deprived of their basic civil, political, economic, social, and cultural rights. Affected communities face severe restrictions and limited access to resources, services, and development, keeping most in severe poverty.

We sat with woman and girls who had married as children—in their homes, under trees, in the fields where they were working—and asked them to tell us about how they ended up marrying as children, and why, and how it affected their

lives. We also interviewed family members of married children, educators, health workers, police officers, community leaders, and experts from NGOs working to end child marriage.

Dalit, Tharu, and other indigenous women and girls are particularly disadvantaged in Nepal due to the intersectional discrimination of caste and gender. They suffer from multiple forms of discrimination based on caste, gender and poverty, which make them highly vulnerable to physical assaults, including rape and sexual exploitation, and other crimes which often go unpunished.

Child marriage in Nepal is driven by a complex web of factors, but key among them is gender discrimination, especially when combined with poverty. Discriminatory social norms mean that girls are often seen as a “burden” to be unloaded as early as possible through marriage. This perception is driven by the convention that sons stay with, and financially support, their parents throughout their lives, while girls go to live with and “belong to” their husband and in-laws. This practice creates clear financial incentives for a family to prioritize education and even basic survival needs, such as food, for boys over girls.

## Economic and Social Pressures

Poverty was a theme in many of these girls’ lives; many described going hungry, and some parents said they had married off girls because they could not feed them. Some girls said they welcomed a child marriage because they hoped it might mean they had more to eat, a hope that was not always fulfilled.

Social pressures often encourage child marriage. In some communities it is seen as “normal” for girls to marry immediately after they reach puberty; in some areas girls marry even earlier. The payment of dowry, by a bride’s family to a husband’s family, remains widespread, although it is illegal; the expectation that a bride’s family will pay a higher dowry in return for a better-educated husband, or to marry off an older girl, creates financial incentives for child marriage.

In some communities in Nepal, marriages happen in two stages, with a marriage ceremony taking place first, followed some years later by a ceremony called a gauna, which marks the moment when the bride goes to live with her husband and in-laws. This practice is common in communities where children are married prior to puberty; the gauna often takes place after the child reaches puberty. In these situations, however, the first ceremony is not an engagement—it is a marriage, and can be as difficult to dissolve as any other marriage. Children who have married and are awaiting their



Lalita B., 17, had an arranged marriage at the age of 12 with a 37-year-old man. She became pregnant soon after marriage, and two of her newborns died. Lalita’s third child survived. Lalita’s husband abandoned her in 2015 and married another woman.

April 25, 2016.



17-year-old Anjana M., married at 14, sits outside her home with her two-year-old daughter Ishita. Anjana's aunt and uncle pressured her to marry her husband because of rumors about her relationship with him. Anjana's father sent her to Pokhara when she was seven years old to do domestic work.

April 11, 2016.

gauna often described their entire childhood being altered by the knowledge that they were already married, and the gauna often took place while they were still far too young for marriage.

Many girls are married off just after—or sometimes just before—they begin menstruating. Some parents and grandparents believe that they will go to heaven if they marry off girls prior to menstruation. Many more believe that when a girl menstruates for the first time, she is ready for marriage, and that it is in the family's interest to get her married as quickly as possible to avoid the risk of her engaging in a premarital relationship. Other girls—and boys—marry later in their teens, still too young to physically and emotionally bear the burdens of marriage.



Pavitra M., 16, eloped and married at the age of 15 to escape extreme poverty at her parent's home. Pavitra now lives with her in-laws, and cooks for all the members of the large family. Her husband lives in India and works as a cook.

April 25, 2016.

## Lack of Access to Education

Quality education provides protection from child marriage—girls who are in school are less likely to marry—but education is a distant dream for many girls. A majority of the married girls we interviewed had little or no education. Often this was because they had been forced to work instead of going to school. Some worked in their family's homes, but many worked outside the home in paid labor, usually as agricultural or domestic workers, often from the age of eight or nine or even earlier.

Parents are deterred from sending their children to school because the schools are often physically inaccessible as well as perceived as being of poor quality. While the Nepal government aims to make primary education compulsory, and basic education is compulsory according to the constitution, the government does not have adequate mechanisms in place to compel children to attend school. Gender discrimination means that in some communities



Ganga M., 17, sits inside her home in Kailali, Nepal. Ganga had an arranged marriage at the age of 16 and was five months pregnant when this photograph was taken. Her husband works as a cook in India. April 25, 2016.

Human Rights Watch visited, parents often send sons to school, but not daughters, or send only their sons to higher-quality private schools.

The lack of education about sexual and reproductive health is a particular problem. Many of the married girls we interviewed said they had no information about contraception. This lack of knowledge sometimes prompts child marriage. As one activist told Human Rights Watch, girls often rush to marry because they are worried they will become pregnant once they are in a relationship, “even by holding hands.”

## Love Marriages

A growing number of children are marrying spouses of their own choosing, sometimes at young ages. We met girls as young as 12 who said they had eloped. Some children interviewed for this report said they chose a so-called love marriage to escape difficult or abusive circumstances.

Others said they eloped because they knew that they were about to be forced into an arranged marriage. These children said they preferred to choose their own spouse but they said their first preference would have been to delay marriage entirely.

Many girls said they faced such deprivation—including hunger—at home that they looked for a husband they thought could feed them. Often, boys and young men seem to have been encouraged to secure a willing young bride by parents who want a new daughter-in-law as an unpaid domestic worker in their home.

Girls who had love marriages also described the impact of rumors and gossip on their choice to marry. When rumors spread about a pair being in a relationship—particularly if the relationship is rumored to be sexual—girls and boys often feel they have no choice but to marry immediately. In some cases, even mistaken rumors prompted a rushed marriage.

Girls who had been sexually active sometimes fell pregnant, or even just feared pregnancy, and rushed into marriages they felt were the only way to salvage their future. With little access to information about sexuality and contraception, especially for children not in school, girls have little ability to understand, let alone control, their own reproductive choices.



Lalita B., 17, with her mother Rajmati B. and daughter outside their home in Kailali, Nepal. Lalita had an arranged marriage at age 12 with a 37-year-old man. She became pregnant soon after marriage, and two of her newborns died. Lalita's third child survived. Lalita's husband abandoned her in 2015 and married another woman.  
April 25, 2016.

### Government Action to End Child Marriage

At the July 2014 international "Girl Summit" in London, Nepal's Minister of Women, Children, and Social Welfare pledged to strive to end child marriage by 2020. By the time the Nepal government held its own national "Girl Summit" in Kathmandu in March 2016, this goal had shifted to ending child marriage by 2030, to align with the 2030 end date of the global Sustainable Development Goals.

At the 2014 summit, the minister presented a five-point plan for how Nepal would achieve this goal. Nepal, like all other UN member states, is also committed to implement the Sustainable Development Goals during the period from 2016 to 2030, which include a target of eliminating "all harmful practices, such as child, early and forced marriage and female genital mutilations."

The government has worked with partners, including the United Nations and NGOs, to develop a National Strategy to End Child Marriage, intended to be a foundation for a



Sarita M., 17, with her infant daughter at her home in Chitwan, Nepal. Sarita eloped and married an 18-year-old man at the age of 15. Her husband works as a laborer in India.  
April 12, 2016.

detailed National Plan of Action to End Child Marriage with funds budgeted for its implementation. The planned launch of the strategy has been postponed, however, in part because of the disruption caused by the April 2015 earthquake. At the time of writing, it has not yet been launched, although the government "endorsed" the strategy at the March 23, 2016 Nepal "Girl Summit."

While the Nepal government has taken some important steps to increase access to education and healthcare, the adolescent girls most at risk of child marriage often have little or no contact with the educational and health systems. The government does not have a functioning system to ensure that all children attend primary school. Rates of school attendance, especially for girls, are low in many of the communities we visited, and in spite of government data indicating high rates of enrollment and attendance, a large proportion of the married girls we interviewed had had little or no education. Government health facilities provide free family planning services, but fail to reach many young

people—married and unmarried—who need information and supplies. Schools are supposed to teach a module about sexual and reproductive health, but this information fails to reach many of the children most at risk for child marriage—children who are out of school or behind in school.

The government needs to do much more to prevent child marriage and to help married children. It should make good quality education accessible to all children and enforce the constitutional provision making primary education compulsory. Government schools and health workers should work to prevent child marriage, by intervening in specific cases, raising awareness, and equipping children with the information they need to make informed choices about sex and reproduction. Local government offices should play an active role in raising awareness about the law regarding child marriage and preventing child marriages.

Child marriage is illegal in Nepal and has been since 1963. The current law sets the minimum age of marriage at 20 for both men and women. Under the law, adults who marry children, family members and other adults who arrange marriages of children, and religious leaders who perform child marriages are all committing crimes and are subject to prosecution. Arranging a child marriage or marrying a child is punishable by imprisonment and fines, which vary depending on the age and gender of the child involved. These range from six months to three years in prison and a fine of 1,000 to 10,000 rupees (US\$9-\$94) if the case involves a girl under the age of ten. The lowest penalty under the law is a fine of up to 700 rupees (\$6.60) for a person who has finalized arrangements for a child marriage which has not yet taken place.

In many of the communities we visited, however, we saw little evidence of the government working effectively to try to prevent child marriage or mitigate the harm that married children experience. There were few programs to promote public awareness of the problem and where they existed they were often the work of NGOs rather than the government. Police rarely intervene to prevent child marriages, and appear to almost never do so in the absence of a complaint. Local government officials only sometimes refuse to register under-age marriages.

Nepal has pledged to end child marriage and taken steps toward developing a national plan to achieve this goal. But it is time for action. Any effective strategy should address the root causes of child marriage, especially gender discrimination, which is embedded in both social structures and the legal system.

This report, which appears as the government is set to develop its plan to combat child marriage, seeks to support that process with recommendations drawn directly from the experiences of the married children we interviewed.



Nine-year-old Selina T. helps her friend Bipana L., 11, wash dishes and utensils in Lalitpur, Nepal where both girls live and work. Both girls work in a brick kiln to help their parents. Bipana attended school for only one day; Selina is still in school, but works during her school break. Child labor is common in Nepal, with about 40 percent of children working. Two-thirds of working children are below the age of 14, and half are working in hazardous occupations likely to interfere with their education. Girls are more likely to work than boys (48 percent versus 36 percent) and 60 percent of children in hazardous work are girls.

April 27, 2016.



Pavitra M., 16, and Kalpana T., 19, both eloped and married at the age of 15 to get away from extreme poverty at their parents' homes. Both of their husbands live and work in India.  
April 25, 2016.



Sharmila G., 14, and Sharda D., 15, stand together in Kailali, Nepal. Sharda is still in school and does not want to marry, like many of the other girls in her community. Sharmila eloped and married at 12 and was seven months pregnant when this photograph was taken. Sharmila said she regrets marrying early and is not ready to have a child.  
April 25, 2016.

# RECOMMENDATIONS

Prevention of child marriage should go hand in hand with broader efforts to empower women and girls, end domestic violence and child labor, and increase access to education and health services. The government should incorporate prevention of child marriage into its efforts to reduce poverty, and take steps to end caste and ethnicity-based discrimination that plays a key role in driving girls into marriage. The government should ensure that all interventions to prevent child marriage and assist married children put the best interests of the child first and never leave children worse off.

## TO THE GOVERNMENT OF NEPAL

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- Reform Nepal's law prohibiting child marriage to make it more effective. Reforms should: 1) include tougher punishments for those who arrange or conduct child marriages; 2) remove provisions that discriminate based on gender; 3) establish a requirement that anyone conducting or registering a marriage verify the age of the spouses; 4) provide support services and compensation to victims of child marriage; and 5) increase the statute of limitations for legal action regarding a child marriage until the married child reaches at least the age of 21.
- Ensure that national law upholds international rights and standards regarding child marriage and that these laws are fully implemented by police, courts, and other government officials.
- Prioritize Nepal's achievement of the target on ending child marriage by 2030 under goal 5 on gender equity and empowering all women and girls in the post-2015 Sustainable Development Goals.
- As a follow up to the National Strategy to End Child Marriage, develop and implement the planned National Plan of Action to End Child Marriage through a consultative process with all relevant parts of government and with civil society, community leaders, Dalit and indigenous peoples' rights groups, faith-based leaders, and young people. Ensure that the plan encompasses prevention of both arranged and love marriage, and consists of detailed plans with clear lines of responsibility across different government institutions, adequate resources, and time-bound and measurable intermediary benchmarks to track progress toward meeting the government's goal of ending child marriage by 2030.
- Raise awareness of the law regarding child marriage and the harm caused by child marriage, enlist religious, political, and local leaders as partners in preventing child marriage, and take specific actions at the community level to end child marriage.
- Implement a system of universal compulsory birth and marriage registration, ensure registration records are accessible throughout the country, and hold officials responsible if they knowingly permit or register child marriages.
- Ensure that children, especially girls, have access to good quality education and remain in education for as many years as possible.
- Take urgent steps to make primary education compulsory in practice.
- Improve and expand the teaching of education modules for all school children on sexual and reproductive health, and establish programs in all schools to prevent child marriage and keep married children in school.
- Provide necessary information about sexual and reproductive health and risks of child marriage to out-of-school children, especially in marginalized communities.



Nepal has the third highest rate of child marriage in Asia, with 37 percent of girls marrying before age 18, and 10 percent marrying before the age of 15, despite the fact that the minimum age of marriage is 20 under Nepali law.

*“Our Time to Sing and Play”*: *Child Marriage in Nepal* is based on 149 interviews conducted across Nepal, most with married girls and young women who married as girls. The report describes the devastating effects of child marriage, including denial of access to education, serious health consequences of early pregnancy, and domestic abuse. A complex web of factors drives these child marriages, including poverty, lack of access to education, child labor, social pressures, and harmful practices. Cutting across all of these is entrenched gender inequality, and damaging social norms that make girls less valued than boys in Nepali society.

In July 2014, Nepal’s government pledged to end child marriage by 2020. By 2016, this goal has shifted to ending child marriage by 2030. But the government has yet to take the concrete steps needed to achieve either goal. The report calls on Nepal to release a comprehensive plan to combat child marriage, and seeks to support that process with recommendations drawn directly from the experiences of the married children who continue to be deeply harmed by the practice.

*(above)* Manju M., 16, Tilmaya M., 18, and Sangeeta M., 19, wait with their children outside of a doctor’s office in Chitwan, Nepal. The parents of Manju M. arranged her marriage to a 19-year-old man when she was 15. Tilmaya M. eloped and married a 20-year-old man at the age of 15. Sangeeta M. had an arranged marriage with a 20-year-old man at the age of 17. April 12, 2016.

*(front cover)* Sharmila G., 14, eloped at age 12 and married an 18-year-old man. At the time this picture was taken she was seven months pregnant. She said that when rumors spread in her village about her relationship with her then-boyfriend, her parents tried to separate them, so they eloped. Sharmila said she regrets marrying early and leaving school. She said she had no knowledge of pregnancy and reproductive health or family planning, and wishes she had not gotten pregnant. April 25, 2016.

All photos

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