

112TH CONGRESS
2D SESSION

H. R. 6087

To protect girls in developing countries through the prevention of child marriage, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 9, 2012

Ms. MCCOLLUM (for herself and Mr. SCHOCK) introduced the following bill;
which was referred to the Committee on Foreign Affairs

A BILL

To protect girls in developing countries through the prevention of child marriage, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “International Pro-
5 tecting Girls by Preventing Child Marriage Act of 2012”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) Child marriage, also known as “forced mar-
9 riage” or “early marriage”, is a harmful traditional

1 practice that deprives girls of their dignity and
2 human rights.

3 (2) Child marriage as a traditional practice, as
4 well as through coercion or force, is a violation of ar-
5 ticle 16 of the Universal Declaration of Human
6 Rights, which states, “Marriage shall be entered into
7 only with the free and full consent of intending
8 spouses”.

9 (3) According to the United Nations Children’s
10 Fund (UNICEF), an estimated 60,000,000 girls in
11 developing countries now ages 20 through 24 were
12 married under the age of 18, and if present trends
13 continue more than 100,000,000 more girls in devel-
14 oping countries will be married as children over the
15 next decade, according to the Population Council.

16 (4) Between $\frac{1}{2}$ and $\frac{3}{4}$ of all girls are married
17 before the age of 18 in Niger, Chad, Mali, Ban-
18 gladesh, Guinea, the Central African Republic, Mo-
19 zambique, Burkina Faso, and Nepal, according to
20 Demographic Health Survey data.

21 (5) Factors perpetuating child marriage include
22 poverty, a lack of educational or employment oppor-
23 tunities for girls, parental concerns to ensure sexual
24 relations within marriage, the dowry system, and the
25 perceived lack of value of girls.

1 (6) Child marriage has negative effects on the
2 health of girls, including significantly increased risk
3 of maternal death and morbidity, infant mortality
4 and morbidity, obstetric fistula, and sexually trans-
5 mitted diseases, including HIV/AIDS.

6 (7) According to the United States Agency for
7 International Development (USAID), increasing the
8 age at first birth for a woman will increase her
9 chances of survival. Currently, pregnancy and child-
10 birth complications are the leading cause of death
11 for women 15 to 19 years old in developing coun-
12 tries.

13 (8) Most countries with high rates of child mar-
14 riage have a legally established minimum age of
15 marriage, yet child marriage persists due to strong
16 traditional norms and the failure to enforce existing
17 laws.

18 (9) Secretary of State Hillary Clinton has stat-
19 ed that child marriage is “a clear and unacceptable
20 violation of human rights”, and that “the Depart-
21 ment of State categorically denounces all cases of
22 child marriage as child abuse”.

23 (10) According to an International Center for
24 Research on Women analysis of Demographic and
25 Health Survey data, areas or regions in developing

1 countries in which 40 percent or more of girls under
2 the age of 18 are married are considered high-preva-
3 lence areas for child marriage.

4 (11) Investments in girls' schooling, creating
5 safe community spaces for girls, and programs for
6 skills building for out-of-school girls are all effective
7 and demonstrated strategies for preventing child
8 marriage and creating a pathway to empower girls
9 by addressing conditions of poverty, low status, and
10 norms that contribute to child marriage.

11 **SEC. 3. CHILD MARRIAGE DEFINED.**

12 In this Act, the term "child marriage" means the
13 marriage of a girl or boy, not yet the minimum age for
14 marriage stipulated in law in the country in which the girl
15 or boy is a resident or, where there is no such law, under
16 the age of 18.

17 **SEC. 4. SENSE OF CONGRESS.**

18 It is the sense of Congress that—

19 (1) child marriage is a violation of human
20 rights, and the prevention and elimination of child
21 marriage should be a foreign policy goal of the
22 United States;

23 (2) the practice of child marriage undermines
24 United States investments in foreign assistance to
25 promote education and skills building for girls, re-

duce maternal and child mortality, reduce maternal illness, halt the transmission of HIV/AIDS, prevent gender-based violence, and reduce poverty; and

(3) expanding educational opportunities for girls, economic opportunities for women, and reducing maternal and child mortality are critical to achieving the Millennium Development Goals and the global health and development objectives of the United States, including efforts to prevent HIV/AIDS.

SEC. 5. STRATEGY TO PREVENT CHILD MARRIAGE IN DEVELOPING COUNTRIES.

(a) ASSISTANCE AUTHORIZED.—

(1) IN GENERAL.—The President is authorized to provide assistance, including through multilateral, nongovernmental, and faith-based organizations, to prevent the incidence of child marriage in developing countries through the promotion of educational, health, economic, social, and legal empowerment of girls and women.

(2) PRIORITY.—In providing assistance authorized under paragraph (1), the President shall give priority to—

(A) areas or regions in developing countries in which 40 percent or more of girls under the age of 18 are married; and

(B) activities to—

(i) expand and replicate existing community-based programs that are successful in preventing the incidence of child marriage;

(ii) establish pilot projects to prevent child marriage; and

(iii) share evaluations of successful programs, program designs, experiences, and lessons.

(b) STRATEGY REQUIRED.—

(1) IN GENERAL.—The President shall establish a multi-year strategy to prevent child marriage and promote the empowerment of girls at risk of child marriage in developing countries, which should address the unique needs, vulnerabilities, and potential of girls under age 18 in developing countries.

(2) CONSULTATION.—In establishing the strategy required by paragraph (1), the President shall consult with Congress, relevant Federal departments and agencies, multilateral organizations, and representatives of civil society.

1 (3) ELEMENTS.—The strategy required by
2 paragraph (1) shall—

3 (A) focus on areas in developing countries
4 with high prevalence of child marriage;

5 (B) encompass diplomatic initiatives be-
6 tween the United States and governments of
7 developing countries, with attention to human
8 rights, legal reforms, and the rule of law;

9 (C) encompass programmatic initiatives in
10 the areas of education, health, income genera-
11 tion, changing social norms, human rights, and
12 democracy building; and

13 (D) be submitted to Congress not later
14 than one year after the date of the enactment
15 of this Act.

16 (c) REPORT.—Not later than three years after the
17 date of the enactment of this Act, the President should
18 submit to Congress a report that includes—

19 (1) a description of the implementation of the
20 strategy required by subsection (b);

21 (2) examples of best practices or programs to
22 prevent child marriage in developing countries that
23 could be replicated; and

24 (3) an assessment, including data disaggregated
25 by age and sex to the extent possible, of current

1 United States funded efforts to specifically prevent
2 child marriage in developing countries.

3 (d) COORDINATION.—Assistance authorized under
4 subsection (a) shall be integrated with existing United
5 States development programs.

6 (e) ACTIVITIES SUPPORTED.—Assistance authorized
7 under subsection (a) may be made available for activities
8 in the areas of education, health, income generation, agri-
9 culture development, legal rights, democracy building, and
10 human rights, including—

11 (1) support for community-based activities that
12 encourage community members to address beliefs or
13 practices that promote child marriage and to edu-
14 cate parents, community leaders, religious leaders,
15 and adolescents of the health risks associated with
16 child marriage and the benefits for adolescents, es-
17 pecially girls, of access to education, health care,
18 livelihood skills, microfinance, and savings programs;

19 (2) support for activities to educate girls in pri-
20 mary and secondary school at the appropriate age
21 and keeping them in age-appropriate grade levels
22 through adolescence;

23 (3) support for activities to reduce education
24 fees and enhance safe and supportive conditions in

1 primary and secondary schools to meet the needs of
2 girls, including—

3 (A) access to water and suitable hygiene
4 facilities, including separate lavatories and la-
5 trines for girls;

6 (B) assignment of female teachers;

7 (C) safe routes to and from school; and

8 (D) eliminating sexual harassment and
9 other forms of violence and coercion;

10 (4) support for activities that allow adolescent
11 girls to access health care services and proper nutri-
12 tion, which is essential to both their school perform-
13 ance and their economic productivity;

14 (5) assistance to train adolescent girls and their
15 parents in financial literacy and access economic op-
16 portunities, including livelihood skills, savings,
17 microfinance, and small-enterprise development;

18 (6) support for education, including through
19 community and faith-based organizations and youth
20 programs, that helps remove gender stereotypes and
21 the bias against girls used to justify child marriage,
22 especially efforts targeted at men and boys, pro-
23 motes zero tolerance for violence, and promotes gen-
24 der equality, which in turn help to increase the per-
25 ceived value of girls;

1 (7) assistance to create peer support and female
2 mentoring networks and safe social spaces specifi-
3 cally for girls; and

4 (8) support for local advocacy work to provide
5 legal literacy programs at the community level to en-
6 sure that governments and law enforcement officials
7 are meeting their obligations to prevent child and
8 forced marriage.

9 **SEC. 6. RESEARCH AND DATA.**

10 It is the sense of Congress that the President and
11 all relevant agencies should, as part of their ongoing re-
12 search and data collection activities—

13 (1) collect and make available data on the inci-
14 dence of child marriage in countries that receive for-
15 eign or development assistance from the United
16 States where the practice of child marriage is preva-
17 lent; and

18 (2) collect and make available data on the im-
19 pact of the incidence of child marriage and the age
20 at marriage on progress in meeting key development
21 goals.

22 **SEC. 7. DEPARTMENT OF STATE'S COUNTRY REPORTS ON**
23 **HUMAN RIGHTS PRACTICES.**

24 The Foreign Assistance Act of 1961 is amended—

1 (1) in section 116 (22 U.S.C. 2151n), by add-
2 ing at the end the following new subsection:

3 “(g) The report required by subsection (d) shall in-
4 clude, for each country in which child marriage is preva-
5 lent, a description of the status of the practice of child
6 marriage in such country. In this subsection, the term
7 ‘child marriage’ means the marriage of a girl or boy, not
8 yet the minimum age for marriage stipulated in law or
9 under the age of 18 if no such law exists, in the country
10 in which such girl or boy is a resident.”; and

11 (2) in section 502B (22 U.S.C. 2304), by add-
12 ing at the end the following new subsection:

13 “(j) The report required by subsection (b) shall in-
14 clude, for each country in which child marriage is preva-
15 lent, a description of the status of the practice of child
16 marriage in such country. In this subsection, the term
17 ‘child marriage’ means the marriage of a girl or boy, not
18 yet the minimum age for marriage stipulated in law or
19 under the age of 18 if no such law exists, in the country
20 in which such girl or boy is a resident.”.

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