

Malaysian CSOs joint statement on child marriage

Thursday 28 June 2018, by [Collective / Multiple signers](#) (Date first published: 22 June 2018).

In a few days, Girls Not Brides, a global partnership of hundreds of civil society organisations (CSO) committed to ending child marriage, will hold its second global meeting in Kuala Lumpur.

Malaysia has the unique opportunity to send a clear message: the law must be amended to set the minimum age for marriage to 18 years for all legal frameworks, including civil, Muslim and native customary law marriages, without exceptions.

The [new government] Pakatan Harapan manifesto in Commitment 4: Ensuring the legal system protects women's rights and dignity includes the promise to introduce a law that sets 18 as the minimum age of marriage - the time is now to make good this pledge.

Marriage before the age of 18 is a fundamental violation of human rights and the rights of a child that impacts every aspect of a child's life. In Malaysia and elsewhere in the world, child marriage denies girls and boys their childhood, disrupts education, limits opportunities, increases the risk of violence, and jeopardises health.

Child marriage in Malaysia affects both girls and boys, in both urban and rural areas. The practice transcends ethnic and religious groups and is practiced by Chinese, Indians, Malays, as well as indigenous and refugee communities, such as the Rohingyas.

Official statistics on the prevalence of child marriage in Malaysia are not systematically collected, analysed or well reported. However, based on the 2000 Malaysian Census data, there were 6,800 girls and 4,600 boys under the age of 15 who were married.

The more recent 2010 census did not include comparable data. According to the Syariah Judiciary Department of Malaysia, and the National Registration Department, there were 6,246 Muslim child marriage applications and 2,775 cases of non-Muslim child marriages from 2010 to 2015.

In Malaysia, child marriages continue to be permitted under both the Law Reform (Marriage and Divorce) Act and the Islamic Family Law, despite the withdrawal of the state party's reservation to article 16(2) of the Convention on the Elimination of Discrimination against Women (CEDAW).

In signing and ratifying the Convention on the Rights of the Child (CRC), the government is committed to take "all effective and appropriate measures with a view to abolish traditional practices prejudicial to the health of the children", including child marriage.

This is consistent with law reform that member states of the Organisation of Islamic Cooperation (OIC) such as Algeria, Bangladesh, Morocco and Turkey have taken to raise the minimum age of marriage to 18 and above. Most recently, President Joko Widodo of Indonesia agreed to sign a decree that would ban child marriage.

Child marriage in Malaysia is linked to widely-accepted social norms; children are often pressured to get married, sometimes by their own parents. For example, when faced with early pregnancies, child marriage is perceived to be the only solution to avoid the shame of having a child out of wedlock, to legitimise the relationship, and allegedly to protect the future of the bride.

Therefore, eliminating child marriage effectively and sustainably requires a shift in attitudes and behaviors to establish new social and cultural norms that do not tolerate child marriage in Malaysia.

To end the practice of child marriage, we the undersigned, call on this government for:

A statement of commitment to raise the age of marriage to 18 years, which is in accordance with the Harapan manifesto and the concluding observations made by CEDAW to Malaysia in March 2018.

Law reform to set the minimum age for marriage at 18 years for women and men in all legal frameworks, including for civil, Muslim and native customary law marriages, without exception, and that the full consent of both parties be obtained for any marriage.

Collate age- and sex-disaggregated data on child marriages as collected by state authorities and make it publicly available to all citizens, including policy makers and CSOs.

Initiate national level campaigns with the aim to encourage social and cultural norms that do not tolerate child marriage in Malaysia. CSOs and UN agencies stand ready to support the government in developing and executing a nationwide campaign.

The children of today will build the new Malaysia of tomorrow. All children have the right to fulfill their hopes and dreams, and to reach their full potential. Their place is in school, and learning – not married before the age of 18.

Signed by the following civil society organisations, United Nations agencies, advocates and activists:

- ARAM Foundation
- ARROW (Asian-Pacific Resource and Research Centre for Women)
- Asia Community Service, Penang
- Challenges Foundation
- Childline Malaysia MCTF
- ECCE Council
- Federation of Reproductive Health Associations, Malaysia (FRHAM)
- Good Shepherd Services
- Kiwanis Down Syndrome Foundation
- Majlis Kebajikan Kanak-Kanak Malaysia
- Malaysian Advocate for Child Health
- Malaysian Association of Social Workers (MASW)
- Malaysian Child Resource Institute (MCRI)
- Malaysian Medical Association (MMA)
- Medical Outreach, Petaling Jaya, Selangor
- My Skills Foundation
- National Council of Women's Organization (NCWO)
- National Early Childhood Intervention Council (NECIC)
- Network for the Needs of Children with Disability, Perak
- NGOHub
- OrphanCARE Foundation
- Pacos Trust
- Peng Doh Belaga (Women's Association of Belaga)

- Persatuan Kesedaran Perlindungan Kanak-Kanak Selangor dan KL (Projek Layang-Layang)
- Pertubuhan Perkhidmatan Intervensi Awal (PPIA)
- Protect and Save the Children (PS the Children)
- PUAH Payong
- Purple Lily, Kuching
- Reproductive Rights Advocacy Alliance Malaysia (RRAAM)
- Society for Equality, Respect And Trust for All (SERATA)
- SUKA Society
- The Talisman Project
- The Salvation Army Malaysia
- Toy Libraries Malaysia
- UNHCR Malaysia
- UNICEF Malaysia
- United Nations University - International Institute for Global Health (UNU-IIGH)
- Voice of the Children
- Yayasan Chow Kit
- Yayasan Generasi Gemilang

Supported by the following organisations representing the Joint Action Group on Gender Equality (JAG):

- All Women Action Society (AWAM)
- Association of Women Lawyers (AWL)
- Perak Women for Women (PWW)
- Persatuan Kesedaran Komuniti Selangor (EMPOWER)
- Persatuan Sahabat Wanita Selangor (PSWS)
- SAWO (Sabah Women's Action Resource Group)
- Sarawak Women for Women Society (SWWS)
- Sisters in Islam (SIS)
- Women's Aid Organisation (WAO)
- Women's Centre for Change (WCC)

Civil society organisations and United Nations agencies

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