

**Early Age Forced Marriages of Girls: A Comparative Study of Pakistan and Australia**



Zalay Huma Kayani Research Officer, Supreme Court of Pakistan at Islamabad  
[zillayhuma11@gmsil.com](mailto:zillayhuma11@gmsil.com)

Hamaish Khan Research Officer, Supreme Court of Pakistan at Islamabad  
[hamaishkhan010@gmail.com](mailto:hamaishkhan010@gmail.com)

**Abstract:** *Cross-country comparison, specifically between a developed country and developing country, is very useful because it indicates which factors are central to the problem. The following settings provide strong foundation to make comparison between Australia and Pakistan for deep understanding of the issue of early age force marriages of girls. Firstly, Australia is a developed country; a cross-cultural research is one of the Australian Government's priorities for global political, social and economic reforms and Pakistan can take advantage of this commitment. Secondly, both countries have signed and signed the main relevant international conventions and treaties. This shows that both countries are committed to eliminate this problem of early age marriages of girls in their societies. Thirdly, both countries adopted inherited British legal justice system based on Common Law and the British system of governance; therefore there are common elements of interest across different areas of governance and legislation. Accordingly, both countries have enacted legislation, devised policy and operational procedures for implementation that provides a firm basis to compare both countries governance and legal system. Fourthly, a large number of diasporas or immigrants from Pakistan are residing in Australia, who tries to maintain active connections with their culture, traditions and norms of place of origin*

**Keywords:** Forced marriage, early marriage, violence , Pakistan, Australia, comparison, analysis, and women

**Introduction**

Early age marriage is a practice subjected to the decisions made by parents or other family elders that badly effects on the basic rights of underage girls and boys. Early marriage is a fundamental infringement of human rights and has been regarded as a form of forced marriage, forced alliance, child abuse, and gender based violence against women (Human Rights Watch, 2017).It is considered necessary to set out a basic standard for the suitable age of marriage to avoid the risk of child marriage. Hence, early marriage (also interchangeably viewed as a “child marriage”) is referred to marriages “involving a person aged below 18 in countries where the age of majority is attained earlier or upon marriage.

Early marriage can also refer to marriages where both spouses are 18 or older but other factors make them unready to consent to marriage, such as their level of physical, emotional, sexual and psychosocial development, or a lack of information regarding the person’s life options” (UNHCHR, 2019).Moreover, according to the article 1 of the United Nations Convention on the Rights of the Child (UNCRC), a child marriage is a marriage in which at least one of the parties is a child below the age of 18, with and without parental consent, and regardless of the sex of the individual involved (UNCRC).Early age marriage (some as young as 6 or 8 years is witnessed) in all communities and across the different cultures (including high

income countries) of the world, though the nature and scale of practice differs (OHCHR, 2013). Forced early age marriages are not linked with any specific religion, they may occur within families from all major religions, as well as in families that are not religious (Tina Jelenic and Matthew, 2013). Importantly, the major religions require full and free consent to marriage (Tina Jelenic and Matthew, 2013).

### **Statement of the Research Problem**

Despite significant international efforts to combat early age forced marriages, this practice persists as a pervasive human rights violation, particularly affecting young girls. In Pakistan, cultural, social, and economic factors contribute to the perpetuation of early age forced marriages, while in Australia, despite stronger legal frameworks and social support systems, instances still occur, often within immigrant communities. The research problem addressed in this study is the need to understand the underlying causes, prevalence, and consequences of early age forced marriages in these two distinct socio-cultural and legal environments. This comparative analysis aims to trace the differences and similarities in the factors driving early age forced marriages in Pakistan and Australia and to explore the effectiveness of existing interventions and policies in preventing this practice. By examining these two contexts, the study seeks to provide insights that can inform more effective strategies to protect young girls from early age forced marriages globally.

### **Significance of the Study**

This research article having great significance. It contribute to the global understanding and prevention of early age forced marriages, a practice that severely infringes upon the rights and well-being of young girls. By conducting a comparative analysis between Pakistan and Australia, this research highlights the diverse cultural, social, and legal contexts in which early age forced marriages occur, offering a nuanced perspective that is often overlooked in existing literature.

In Pakistan, the practice of early age forced marriages is deeply rooted in cultural traditions,

economic constraints, and social norms, making it a persistent challenge despite legal prohibitions. In contrast, Australia, with its robust legal frameworks and support systems, presents a different set of challenges, particularly within immigrant communities where cultural practices from countries of origin persist. Understanding these contextual differences and similarities is crucial for developing targeted interventions.

The study's findings can inform policymakers, social workers, educators, and activists about the specific drivers and impacts of early age forced marriages in both countries. This information is fundamental for creating successful approaches and mediations custom-made to the one of a kind requirements of every unique circumstance. Furthermore, the comparative approach provides valuable insights that can be applied to other regions facing similar issues, thereby contributing to the global fight against early age forced marriages.

Ultimately, this research aims to enhance the protection of young girls by providing evidence-based recommendations for more effective prevention and intervention strategies. By shedding light on the complexities of early age forced marriages in diverse settings, the study seeks to foster international collaboration and advocacy efforts to eradicate this harmful practice worldwide.

### **Literature Review**

The issue of child marriage has become a significant global social problem and one of the most pressing development concerns, therefore the issue is discussed in a number of United Nations international conventions and agreements to address the harmful practices of early and forced marriages and requiring states members or parties to eliminate the marriage under the age of puberty, to stipulate a minimum age of marriage and to establish measures for the registration of all marriages. More recently, the issue has been included in the United Nations Sustainable Development Goals that call for global action to end this human rights violation by 2030. Article 19 (1) of United Nations Convention on the Rights of the Child

(CEDAW, 1979) provides that states parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child (UNICEF). Article 16 (1) of the Convention on Elimination of All Forms of Discrimination against Women, 1979 (CEDAW, 1979) states that states parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women. The same right to: enter into marriage; freely choose a spouse and to enter into marriage only with their free and full consent; and during marriage and at its dissolution. The Article 16 (2) of the same Convention states that the betrothal and the marriage of a child shall be taken to specify a minimum age for marriage and make the registration of marriages in an official registry compulsory.

Accordingly, many UN member States are increasingly adopting institutional and legislative measures to address the issue. By adopting such measures the prevalence of early or child marriage has decreased globally – from one in four girls married a decade ago to approximately one in five in 2019. However, despite progress made in many aspects of legislation and policy, severe challenges, gaps and constraints remain in the adoption and implementation of laws, policies, strategies and good practices at operational level in many communities or countries continue to allow the child marriage to persist in large scale. United Nations Children's Fund has reported that worldwide 5% children till the age of 15 and 21% children till the age of 18 are entered into marriages. The majority of burden falls on under and least developed countries who account for 12% marriages under the age of 15 and 40% marriages under the age of 18 years (UNFPA, 2013). In all regions of the world, the causes of early age marriage are complex, interrelated and

tightly interwoven with social and economic circumstances and the cultural context (WHO, 2012). The practice is predominantly prevalent in poorer families and those with lower levels of education and awareness, deeply embedded cultural and persistent traditions in favor of early marriage, and is also high in fragile states hit by natural catastrophe and conflict affected countries and humanitarian settings (UNFPA, 2013).

### **Research Methodology**

This research article has a comparative research design to investigate the phenomenon of early age forced marriages in Pakistan and Australia. The design involves qualitative approach to provide a comprehensive understanding of the issue within these two distinct socio-cultural and legal contexts. The existing relevant laws of both Pakistan and Australia were studied and contextually analyzed. All the applicable specialized and lawful texts, books and diaries are concentrated in-depth. Key themes and patterns were identified, coded, and interpreted to understand the underlying causes, personal experiences, and impacts of early age forced marriages.

### **The Early And Forced Marriages Among Girls**

The practice of early age marriage is disproportionately five times more common among girls. Girls, considered as most vulnerable human beings, are often forced in to a marriage generally at a very early age when they do not have the maturity or are not able to provide the free consent to marriage. It is estimated that presently more than 700 million women (mostly in developing countries) are married as children before reaching the age of 18, among these figures about 250 million (more than one in three) entered into marriage before age 15 years (UNICEF, 2009). Moreover, the United Nations Population Fund (UNFPA, 2013) has portrayed a terrific picture in developing countries where the rate of marriage for girls before the age of 18 (not including China) is one in three in ratios in married women. Regrettably this trend is continue to rise, every year at least 12 million

more girls are added in the existing numbers who marry before they reach the age of 18(OHCHR). The projections of OHCHR and UNICEF) have indicated that, without tangible accelerated actions, if the practice of underage marriages continues at the current rate, the number will grow to as many as 950 million by 2030.

Forced and early marriages among girls are regarded as inhuman and degrading treatment to their childhood. It brings destructive consequences to their dignity, education and employment opportunities, cognitive decision making abilities, sexual and other forms of physical violence and abuse, gender discrimination and mistreatment, early and frequent pregnancies and forced continuation of pregnancy, high maternal and infant morbidity and mortality rates; hence placing them in economic, political and social isolation(UNHCR,2014).The World Health Organization has reported that complications from pregnancy and childbirth are the leading causes of death for girls aged 15–19 years in low- and middle-income countries, where some 50,000 such girls die from pregnancy and birth-related complications every year (OHCHR).

### **Early Age Marriages Of Girls In Pakistan**

South Asia shares the highest rates of child marriage in the world (OHCHR).Child marriage is particularly pervasive across South Asia with highest rates in the world. It is reported that almost half (45%) of all women aged 20-24 years enter into marriage before the age of 18,17% of girls (one in five) are married before the age of 15 in South Asia(UNICEF). Pakistan is one of the South- Asian Countries, despite being illegal, the worldwide phenomena of early age marriages subsists in the Pakistani society.In Pakistan; child girl's marriage is a deeply rooted constant practice. There are a number of different socio-economic and cultural factors contributing to early age marriages including poverty, lack of education, cultural and social practices (Aneel Shazad, 2017).The large variation of the practice is evident across different regions, tribal and ethnic groups (PBR, 2018).Under the Child Marriage Restraint Act 1929, the legal minimum age of marriage in

Pakistan is 18 for boys and 16 for girls (14 for girls with parental consent in non-religious marriages).Importantly, the legal age of girls up to the age of 16 is not conformity to the international law that defines a child as anyone under the age of 18. Notably, the national Identity Cards (a national legal document for confirmation of identity) are not issued until children reach the age of 18; therefore, there is no national legal document that can prove a girl's age at the time of marriage. It can be argued that the girls are vulnerable to enter into early age marriages even before reaching to the age of 16, providing sufficient chances of underreporting of such cases. Pakistan ranks sixth in the world in terms of the highest absolute numbers of child marriages constituting more than 1.9 million. Moreover, According to the UNICEF State of World's Children Report(UNICEF, 2016), 7% of the girls in Pakistan were married before the age of 15, while 24% were married before they were 18. Similarly, Pakistan Demographic and Health Survey 2012–2013 indicated that 13.9% of girls in Pakistan currently aged 15 to 19 is married (NIPS Survey, 2013).

### **Constitutional And Legal Framework**

Article 25 of the Constitution of Pakistan (CMS, 2013) provides equality of all and Article 35 is related to the protection of marriage, the family, the mother and children. Pakistan has signed and ratified a number of international conventions and agreements (binding and non-binding). The passage of the 18th amendment in the constitution of Pakistan means that formulation of legislation on social issues is now a province's domain in place of federal level. In this regard numerous actions have been taken by the provincial governments to prevent children from early age marriages. At the federal level, the Ministry of Human Rights has been established for establishing and strengthening necessary institutional mechanisms for protection and promotion of human rights as enshrined in the Constitution of Pakistan, the Universal Declaration of Human Rights and the international Human Rights Conventions and Covenants ratified by the Government of Pakistan. The mandate and scope of the ministry

is broad in nature, those specifically are related to the basic rights of girls include (MOHR).

- Administration of the National Commission on the Status of Women Bill, 2012.
- Administration of the National Commission for Human Rights Act, 2012.
- Administration of the National Commission for Child Welfare and Development Resolution, 1981.
- Initiatives for harmonization of legislation, regulations and practices with the international human rights covenants and agreements to which Pakistan is a party and monitoring their implementation.
- Referring and recommending investigations and inquiries in respect of any incident of

violation of human rights, including rights of the disadvantaged and child rights.

- Developing and conducting information programs to foster public awareness about human rights including the rights of labor, women and children and laws and remedies available to them.
- Obtaining information, documents and reports on complaints and allegations of human rights violations from Ministries, Divisions, Provincial Governments and other agencies.
- Effective enforcement of laws for protection of children from forced child marriages

**Table 1: Relevant international treaties signed by Pakistan (OHCHR)**

| Convention ratified                          | Convention ratified   | Convention ratified   | Convention ratified   | Convention neither ratified nor signed   |
|--|---|---|---|--|
| Convention on the Rights of the Child (1989) | Optional Protocol to the Convention on the Rights of the Child on the sale of Children, Child Prostitution and Child Pornography (2000) | Convention on the Elimination of All Forms of Discrimination Against Women (1979) | International Covenant on Economic, Social and Cultural Rights (1966) | Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages (1962) |
| 1990   | 2011  | 1996  | 2008  |  |

**Child Marriage Restraint Act, 1929(CMRA)**

Child Marriage Restraint Act, 1929 is in force and extends to the whole of Pakistan. The purpose of the Act is to restrain the solemnization of child marriages. A child was originally defined in the act to mean a person who, if a male, is under 18 year of age, and if a female, is under 14 years of age’. Child Marriages Restraint Act, 1929 (CMRA) have been reformed and amended in India and Bangladesh, but remained difficult to enforce and harmonized with emerging social and demographic challenges in Pakistan, being

outdated with lack of clarity and major structural deficiencies(Sofia& Khalid, 2015).

**Criminal Law (Amendment) Act, 2004(CLA)**

Section 310 (A) has been inserted in the Pakistan Penal Code, 1860 though Criminal Law (Amendment) Act, 2004 which is intended to punish the “giving” of girls and women in marriage as part of a compromise to settle a dispute between two families or clans. Anyone convicted of this offence may receive ‘rigorous punishment’ for 3 to 10 years.

### **The Punjab Marriage Restraint (Amendment) Act, 2015(PMRA)**

Under the Punjab Marriage Restraint (Amendment) Act, 2015, the penalties have been enhanced for contracting a marriage with a child in order to curb child marriages while protecting women from exploitation. Previously, the punishment for any person involved in child marriage was being imprisoned for up to one month or a fine of Rs.1, 000. This has now been enhanced to imprisonment for six months, with a fine of Rs. 50,000. It also proposes the same punishment for the Nikah registrar who performs the Nikah. Punjab Government's child protection mechanism under the Punjab Destitute and Neglected Children Act, 2004 does not address child marriages directly but provides protection to children

### **The Sindh Child Marriage Restraint Act, 2013(SCMRA)**

The Sindh enacted the Sindh Child Marriage Restraint Act, 2013 prohibiting marriage of children below 18 years. Under the law, the minimum age for marriage is 18 years. Those found violating the law would be punished in line with the penalty suggested in the legislation. According to the law, in cases of underage marriages, those involved can be sentenced to three years in prison and they can also be fined. The Sindh government has formed a committee to finalize a bill for the prohibition of child marriages. The bill sets 18 years the legal age for marriage for both males and females.

### **Khyber Pakhtunkhwa Elimination of Custom of Ghag Act, 2012(KPECGA)**

The Khyber Pakhtunkhwa (KPK) Assembly passed a law declaring the custom of Ghag (forced marriage of women) under which the violators would face up to seven years imprisonment and Rs500, 000 fine or both. KPK Government constituted Provincial Commission for the Welfare and Protection of Children under the Child Protection and Welfare Act, 2010 which provides protection against child marriage and discriminatory customary practices in accordance with federal laws.

In addition to the above legislation, more than half-dozen laws are aiming to protect women rights have been promulgated in past few years. These laws help to implement Pakistan's obligations under the many conventions that the country has ratified (Table 1), while not all of these laws directly address early age marriage, but the breakthrough drive criminal justice system to show commitment in securing women empowerment. These laws include:

- Amendments in Family Courts Act for Khula (woman's unilateral declaration of divorce to her husband) etc 2002
- Protection of Women (Criminal Laws Amendment) Act, 2006
- Criminal Law (Amendment) Act, 2010
- The Women in Distress and Detention Fund (amendment) Act 2010
- The protection against Harassment of Women at the Workplace Act 2010
- The Acid Control and Acid Crime Prevention Act, 2010
- Prevention of Anti-Women Practices (Criminal Law Amendment) Act 2011
- National Commission on the Status of Women Act 2012

### **Prevalence Of The Problem In Australia And Legal Framework**

Marriage in Australia is regulated by the Marriage Act No. 12 of 1961(MA, 1961) and Marriage Regulations No. 31 of 1963(MR, 1963), both applies to men and women without distinction. According to the Marriage Act No. 12, marriage is not permissible unless the parties to the prospective marriage have attained the age of 18 (Art. 11). However in exceptional circumstances, under the Marriage Act 2011(MA, 2011) lay out, a court applying common law principles may allow a person who has attained the age of 16 years but has not attained the age of 18 may apply to a judge or magistrate in a State or Territory for an order allowing him or her to marry a particular person of marriageable age. Parental consent to the marriage of a minor is regulated under the Marriage Act No. 12 (sections 7–13, Division 1,

Part II) and is another exception to the aforementioned legal age of marriage. The Marriage Act No. 12 contains detailed provisions on marriage registration and celebrants. In cases of forced child marriage under the age of 18, obtained through coercion, threat or deception, is punishable by up to 7 years imprisonment as said by the Criminal Code Act, 1995(CCA, 1995) (270.7A and 270.7B). Jurisdictions of States and Territories have imposed the obligation to have births registered at the state level, as per the Births, Deaths and Marriages Registration Act, all enacted in 1995 and 1996. All States and Territories have specialized children's courts with jurisdiction over offences committed by young people.

In February 2013, the Australian Parliament passed the [Crimes Legislation Amendment \(Slavery, Slavery-like Conditions and People Trafficking\) Act\(CLA, 2013\)](#) (the 'Slavery Act'), which introduced a range of new offences related to slavery and slavery-like conditions, including offences that criminalize the practice of forced marriages (including underage marriages). According to Act, a marriage entered into without free and full consent of one, or both of the parties involved, as a result of coercion, threat or deception. The definition applies to legally recognized marriages as well as cultural or religious ceremonies and registered relationships; regardless of age, gender or sexual orientation. Marriage offences apply to marriages which occur in Australia (and) outside of Australia involving an Australian Citizen or Resident.

The social problem of early age marriage in Australia is poorly understood and under-researched(Simmons, Frances & Burn, Jennifer, 2012).The extent of early age marriages in Australia is unknown or information lacks reliability and comprehensiveness about the nature and extent of the problem, which shows a scarce recognition of the issue in Australia(OHCHR).However, the impetus and growing evidence is available through media, police, and non-government organizations reports that identified cases of forced child marriage (mostly girls) in every State and

Territory in Australia (Sofia and Khalid, 2015). In a study conducted by the [National Children's and Youth Law Centre](#), reported that between 2011- 2013, 250 Australian cases of early age marriages (majority of girls) were identified by research respondents (Tina Jelenic & Matthew Keeley, 2013). The Australian Federal Police Human Trafficking Team received [70 referrals of early and forced marriage](#) during 2016-2017, bringing the total to 174 since placing forced marriages under criminalization in 2013.Similarly, since the forced marriages are criminalized, the [Australian Federal Police received 10 referrals](#) for suspected forced marriage cases in 2014, nine of which involved children. Community groups argue that the actual number is much greater than those of the reported cases of early age marriages in Australia (Australia, 2018).

The limited information on the contributing factors on child marriage in Australia reveals that it is driven by migration and traditional customs. Traditional customary or customary practices marriages, including [promised marriages](#), are experienced among Aboriginal communities; sometimes involve young girls being promised to men for future marriage (Australia). The problem of early marriages exists chiefly among migrant families or diasporas from other countries also witnessed in other developed countries. For example, British families, from a range of communities and contexts including South Asia, Eastern European and Africa,(but not restricted to) are predisposed to reproduce their caste and sectarian communities, underpinned by regional and linguistic identities involve in early age marriages of their children(Geetanjali and Melanie, 2009).Among Australian families, migrated from other countries or regions of the world, the early age marriages may occur within Australia, or children who born in Australia are taken overseas and forced into child marriage (KPECGA, 2012).The factors that motivate the immigrant's families (commonly from low-middle income countries) include: to build stronger families bond due to insecurity of parents (Report, Foreign and Commonwealth Office, 2009); to protect and uphold cultural or

religious traditions of their country of origin; to secure both their own and their daughter's future; to enhance a family's status; or to gain economic security (Simmons, Frances & Burn, Jennifer, 2012).The majority of child marriages are hidden, undocumented, and generally victims are often resistant to speaking out

against their families or communities; such factors create barriers to compile the exact nature and statistics of child marriages in Australia.

**Table 2: Relevant international treaties signed by Australia (OHCHR)**

| Convention ratified                          | Convention ratified   | Convention ratified   | Convention ratified   | Convention neither ratified nor signed   |
|--|---|---|---|--|
| Convention on the Rights of the Child (1989) | Optional Protocol to the Convention on the Rights of the Child on the sale of Children, Child Prostitution and Child Pornography (2000) | Convention on the Elimination of All Forms of Discrimination Against Women (1979) | International Covenant on Economic, Social and Cultural Rights (1966) | Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages (1962) |
| 1990   | 2000  | 1984  | 1998  |  |

**Conclusion**

As already noted, early age forced marriage is prevalent in both countries Australia and Pakistan. The practice of early age marriages of girls is more common in Pakistan; whereas the exact nature of the phenomena of early age marriages of girls in unknown in Australia, nevertheless there are reported cases by police of early age marriages of girls in Australia. Considerable work has been conducted on the issue of early age marriages of girls in Pakistan; however the issue has attracted little attention in Australia despite growing trend of the issue has been noted, more frequently among migrated families from other parts of the world.

Australia has signed the major international human rights instruments (see Table 2). Moreover, Australia has also committed to eliminate child, early and forced marriage by 2030 in line with [target 5.3](#) of the United Nation's Sustainable Development Goals (MA, 2011).However, it has not acted to incorporate them into domestic law, meaning that at the domestic level they are not directly enforceable or justifiable (OHCHR). It has been argued that

the Australia's current approach is limited in its scope in preventing the practice, ensuring that individuals have adequate and appropriate support, and devising most effective framework to ensure prevention and protection of individuals at risk of early and forced marriage(Laura Vidal, 2016).Comprehensive, accurate information about the endemic of early age marriages among girls is a prerequisite for identification and control of risk factors as well as for identifying faults within the broader social and legal system. In this essence, there is a dire need of the establishment of an information development framework for data relating to the early age marriages of children in order to identify data gaps and determine priority information needs. The lack of exact nature of evidence based information on the issue of early age marriages of girls requires that evidence based research is critical to develop a scholarly understanding of early age marriages and identify the social, economic and cultural factors that leave people vulnerable to such practices(CLA,2004).

Despite several national laws and international



commitments, child marriage remains a real threat for many in Pakistan. Apparently, many gaps have been identified in operational and implementation level. They include the poor monitoring of child marriages and implementation of child marriage legislation and enforcement, lack of education and awareness of the early age marriages, lack of access to law enforcement authorities and courts, lack of support mechanisms for victims, and procedural gaps and inconsistencies in the law. Policy decisions are made within institutional settings and broader social and cultural frameworks, thus, the principles of good governance must be institutionalised and distinct structures put in place to embed these principles. The poor functioning of institutions in Pakistan can be attributed to governance issues lacking evidence based approaches. It can be argued that principles of good governance cannot be aspired without appropriate support of high-quality research based evidence to inform policy and strengthen decision-making processes. This is important for Pakistan to produce evidence-based recommendations towards best practices, policies and interventions to improve governance as part of the effort to overcome the social menace of early forced marriages among girls. Therefore, the evidence based research is warranted in Pakistan to investigate the quality of governance in the relevant institutions and potential influence of legal, cultural and social at operational and implementation level.

The strategies and interventions in Australian governance system is a pinnacle forum of transfer of skills and knowledge in the introduction of design, implementation and evaluation of interventional strategies in Pakistan's governance system. Pakistan can learn the best practices, policies and interventions in Australian governance system to improve its governance system in specified areas. Hence, the strong commitment of Australia regarding developing countries (including Pakistan) to build strong governance in all social sectors can help to contribute to better results. Similarly, Australia can also take advantage from Pakistan experience in managing the early age marriages among

migrated families residing in Australia. A large number of families in Australia moved from Pakistan, Muslim countries, and South Asian region. They share almost similar nature of cultural, traditional and social practices. Moreover, there are common elements across different areas of governance between Australia and Pakistan, transferable to other subjects in Pakistan. For example the system of common law is currently in practice in both countries, both country can work together to strengthen legislation, enforcement of existing laws and spread awareness and education to eliminate the evil of early age marriages.

## References

Aneel Shahzad. (2017). Differentials in Female Age at Marriage in Pakistan: Have they Changed or Not? *Nust Journal of Social Sciences and Humanities* Vol.3 No.1 (January-June 2017) pp.71- 94.

Australia's response to early and forced marriage: Better, but still lacking <http://www.powertopersuade.org.au/blog/australias-response-to-early-and-forced-marriage-better-but-still-lacking/26/2/2018>

Ibid

Girls not Brides (Australia). <https://www.girlsnotbrides.org/child-marriage/australia/>

Ibid

Child Marriage Restraint Act, 1929

Ibid

Convention on Elimination of All Forms of Discrimination against Women, 1979 (CEDAW). <https://www.ohchr.org/en/professionalinterest/pages/cedaw.aspx>

Ibid

Criminal Law (Amendment) Act, 2004

Ibid

Crimes Legislation Amendment (Slavery, Slavery-like Conditions and People Trafficking) Act 2013

- Early marriages, adolescent and young pregnancies: Report by the Secretariat, Sixty-fifth World Health Assembly, Provisional agenda item 13.4, Geneva, World Health Organization (WHO), 2012 (A65/13). Available at [http://apps.who.int/gb/ebwha/pdf\\_files/WHA65/A65\\_13-en.pdf](http://apps.who.int/gb/ebwha/pdf_files/WHA65/A65_13-en.pdf)
- Geetanjali Gangoli and Melanie McCarry. (2009). Child Marriage or Forced Marriage? South Asian Communities in North East England. *Children & Society* Volume 23, (2009) pp. 418–429 DOI:10.1111/j.1099-0860.2008.00188.x
- Human Rights Watch, 'Globally Girls Struggle for Rights' (11 October 2017). Can be reached at: <https://www.hrw.org/news/2017/10/11/globally-girls-struggle-rights>
- Khyber Pakhtunkhwa Elimination of Custom of Ghag Act, 2012
- Ibid
- Laura Vidal. (2016). Developing Innovative, Best Practice Solutions to Address Forced Marriage in Australia. The Winston Churchill Memorial Trust of Australia [https://www.churchilltrust.com.au/media/fellow/Vidal\\_L\\_2016\\_Solutions\\_to\\_addressing\\_forced\\_marriage\\_in\\_Australia.pdf](https://www.churchilltrust.com.au/media/fellow/Vidal_L_2016_Solutions_to_addressing_forced_marriage_in_Australia.pdf)
- Ministry of Human Rights, Pakistan. <http://www.mohr.gov.pk/>
- Marriage Act, 2011, (Australia)
- Ibid
- Marriage Act No. 12, 1961 (Australia)
- Marriage Regulation No. 31, 1963, (Australia)
- National Institute of Population Studies, Pakistan Demographic and Health Survey 2012-2013, see table 4.1, Current Marital Status, 62 (2013), available at <http://www.dhsprogram.com/pubs/pdf/R290/FR290.pdf> [hereinafter PDHS 2012-2013.
- Ibid
- Office of the United Nations High Commissioner for Human Rights, 'Preventing and Eliminating Child, Early and Forced Marriage' (2 April 2014) UN Doc A/HRC/26/22, 3 <<https://www.refworld.org/docid/53999c1b4.html>>. accessed 29 August 2019.
- Office of the High Commissioner for Human Rights (OHCHR). <https://www.ohchr.org>
- Ibid
- Sofia Naveed and Khalid Manzoor Butt. (2015). *Journal of South Asian Studies* Vol. 30, No.2, July – December 2015, pp. 161 – 175.
- Ibid
- Simmons, Frances & Burn, Jennifer. (2012). "Without Consent: Forced Marriage in Australia" *MelbULawRw* 24; (2012) 36(3) *Melbourne University Law Review* 971
- The Constitution of Pakistan, 1973. [http://www.na.gov.pk/uploads/documents/1333523681\\_951.pdf](http://www.na.gov.pk/uploads/documents/1333523681_951.pdf)
- The Punjab Marriage Restraint (Amendment) Act, 2015
- The Sindh Child Marriage Restraint Act, 2013
- Ibid
- United Nations Convention on the Rights of the Child (UNCRC) <https://www.unicef.org.au/Upload/UNICEF/Media/Our%20work/childfriendlycrc.pdf>
- Ibid
- UNICEF. <https://www.unicef.org/protection/child-marriage>
- United Nations Population Fund (UNFPA), State of World Population 2013 report, Motherhood in Childhood: Facing the challenge of adolescent pregnancy (New York, 2013).
- Ibid
- Ibid
- UNICEF 2009, Early Marriage in South Asia: A Discussion Paper. Rep. UNICEF ROSA,

2009

Ibid

UN Human Rights Council (UNHRC), Preventing and eliminating child, early and forced marriage: Report of the Office of the United Nations High Commissioner for Human Rights, 2 April 2014, A/HRC/26/22, available at: <https://www.refworld>

Ibid

UNICEF, State of the World's Children, 152 (2016),

available at [https://www.unicef.org/publications/files/UNICEF\\_SOWC\\_2016.pdf](https://www.unicef.org/publications/files/UNICEF_SOWC_2016.pdf).

Ibid

Yes I do. Gaining insight into the magnitude of and factors influencing child marriage and teenage pregnancy and their consequences in Pakistan. Baseline Report February 2018. <https://www.kit.nl/wp-content/uploads/2018/10/Baseline-report-Pakistan-Yes-I-Do.pdf>