National Civil Society Consultation on “Working together to End Child Marriage”

Women Power Connect/Girls Not Brides/Oxfam India

24th-25th April 2018

Zorba the Buddha, Ghitorni

New Delhi
Girls Not Brides is a global partnership of more than 900 civil society organizations committed to ending child marriage and enabling girls to fulfill their potential.

Oxfam India works (OIN), is fully independent Indian organization and is a member of a global confederation of 20 Oxfams. Oxfam is a rights-based organization that fights poverty and inequality by linking grassroots programming (through partner NGOs) to local, national and global advocacy and policy-making. Gender Justice work of Oxfam India aims that more poor and marginalized women claim and advance their rights through engagement and leadership of women and their organizations and violence against women and girls is significantly less socially acceptable and prevalent.

Women Power Connect (WPC) is a non-profit, non-governmental organisation that works to ensure the effective implementation of gender friendly legislation and to guarantee the active participation of women in policy outcomes.
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<th>Description</th>
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<tbody>
<tr>
<td>ASHA</td>
<td>Accredited Social Health Activist</td>
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<td>CSO</td>
<td>Civil Society Organisation</td>
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<td>CMPO</td>
<td>Child Marriage Protection Officer</td>
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<td>GNB</td>
<td>Girls Not Brides</td>
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<td>IEC</td>
<td>Information Education Communication</td>
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<td>MENA</td>
<td>Middle East and North Africa</td>
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<tr>
<td>NGO</td>
<td>Non Governmental Organisation</td>
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<td>PCMA</td>
<td>Prohibition of Child Marriage Act</td>
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<tr>
<td>POCOSO</td>
<td>Protection of Children from Child Sexual Offences</td>
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<tr>
<td>PSA</td>
<td>Public Service Advertisement/Announcement</td>
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<tr>
<td>RKSK</td>
<td>Rashtriya Kishor Swasthya Karyakram (National Adolescent Health Programme)</td>
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<td>RTI</td>
<td>Right to Information Act</td>
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<td>SDG</td>
<td>Sustainable Development Goals</td>
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<tr>
<td>SRHR</td>
<td>Sexual and Reproductive Health and Rights</td>
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<tr>
<td>UNICEF</td>
<td>United Nations International Children's Emergency Fund</td>
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<td>UNFPA</td>
<td>United Nations Population Fund</td>
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EXECUTIVE SUMMARY

The goal of the two-day national consultation, “Working Together to End Child Marriages”, held on April 24th-25th in New Delhi, was to strategise advocacy initiatives that CSOs and NGOs in India can take to end child marriage and to draw up an action plan to achieve this goal. The participants of the consultation (partner organisations of Oxfam India, members of Girls Not Brides and member of Women Power Connect) are having state level programming on the issue of child marriage. The collaborative initiative of Girls Not Brides, Oxfam India and Women Power Connect aimed at bringing together these CSOs and to facilitate the process of working in solidarity in ending child marriage in their states thereby contributing to national level advocacy. The consultation also envisaged the objective of sharing and learning from the good practise models from the states.

The first few sessions laid out the global context of child marriage and then narrowed down to the scenario in India. The keynote address experiences of different states gave an insight into challenges and best practices. The first three sections of this report give an overview of these.

A few recurring themes came up from these sessions. In terms of norms, there is a need to question the very centrality of marriage and 18 being a minimum age of marriage. The conversation on SRHR needs to de-stigmatise adolescent sexuality. In terms of an audience, boys and men must be engaged in the conversation as both, victims and influencers. There is a need for convergence between different departments while providing essential services like education, healthcare and justice. Laws too need to be implemented in a more holistic way and practitioners need to make themselves far more aware of these. Many cautioned that laws can't be used as a preventive measure because there is already evidence of their misuse and difficulty of use.

A key goal of the consultation was to address three broad themes on which advocacy initiatives would be based – law and policies, social norms, and essential services (education and health). Three groups were formed to deliberate on each, and share one-year, three-year and five-year action plans. Section four of this report summarises the key action points of each group.

The group on essential services suggested three main things:

1) Improving education delivery mechanisms, and a more comprehensive approach to skill development among children and adolescents.
2) Improving tracking mechanisms of children in areas where they are vulnerable to trafficking and child labour.
3) Including SRHR and mental health and counselling in programmes in a way that reduces the stigmatisation of adolescents’ sexuality; Creating child friendly Panchayats1.

The recommendations of the group on laws and policies centred on:

1The first tier (village level) of the formalised local-self governance system in India called Panchayati Raj.
1) Training those responsible for implementing the laws and looking for possibilities of convergence in laws.
2) Carry out a gender budgeting of schemes.
3) Develop monitoring tools to assess how child marriage cases are handled after being filed.

The group working on social norms felt that it was important to address the centrality of marriage and its importance in social life. Steps to achieve this would include:

1) Incorporating a gender-curriculum at every stage till graduation.
2) Re-positioning the messaging of cash transfer schemes that incentivise delaying marriage till 18.
3) Including messaging about agency of young people to shift the goalpost of 18 as the minimum age at marriage.

The closing session saw an honest reflection on the problem of child marriage and a need to see it within the prism of larger human rights violations. Speakers also called for collaborations between organisations; empathy as a core principal while creating interventions, and a need to push donors to allow space for evidence building.

Following the national consultation, WPC collated all the top three suggestions provided by the participants for working collectively and as organizations towards ending child marriages. The recommendations included training programmes for all stakeholders involved in ending child marriages, convergence meetings with stakeholders, a compilation of all laws relating to child marriages, advocacy to extend the right to education upto 18 years, and advocacy on amending the law in order to make child marriages void *ab initio* (rather than voidable as per the PCMA). A google group of all participants who attended the national consultation has been formed. Girls Not Brides, Oxfam India and WPC plan to act upon the recommendations received at the National Consultation in collaboration with NGOs working on ending child marriages in India.
SECTION ONE: KEYNOTE ADDRESS

Speakers: Leila Billing, Director, Partnership Development, Girls Not Brides
DrRanjanaKumari, Chairperson, Women Power Connect and Director, Centre for Social Research
EnakshiGanguly, Co-founder & Co-director, HAQ- Centre for Child Rights

The speakers of the opening session set the ground for the discussions that followed over the next two days. Leila Billing provided framework of how Girls Not Brides (GNB) operates and also gave a global perspective of the scale of child marriage. DrRanjana Kumar and EnakshiGanguly grounded the conversation in the Indian context.

Child marriage is a global problem, which occurs across different cultures, in different countries. These range from being socio-politically stable countries to those that witness conflict. In South Asia, 30% girls under the age of 18 are married. This is the second highest after Sub-Saharan Africa, where 38% girls under the age of 18 are married. Looking at women who are between 20-24 years old and were first married or in union before they were 18 years old, Niger has the highest rate of child marriage at 76%. Bangladesh and Nepal, with 59% and 40% respectively, have the worst rates of child marriage in South Asia. However, India leads the list in terms of absolute numbers, with 15,509 women between the ages 20-24 being married or in a union before the age of 18.

The key driver of child marriage is a patriarchal system that undervalues girls across the world. This includes norms that result in a higher control over their sexuality and limits their agency and mobility. Factors like poverty and human conflict exacerbate this. In these cases marriage is often seen as the best option to secure a girl’s future, safety and honour, and reduce economic burden on the family.

There remain huge regional disparities even after concerted efforts have reduced the rates of child marriage. For instance the MENA region shows an almost 50% decline in the rates, but there is little to no change in Latin American and Caribbean countries. The absolute numbers of those affected by child marriage will only rise because of a rise in the global population. This calls for an even bigger push to end child marriage. Ending child marriage is an SDG target (5.3), which is an important accountability tool. Failing to address this will jeopardise progress towards eight other SDGs.

GNB currently works with 950 member organisations from 95 countries to highlight the problem of child marriage. Collective action is at the heart of the process. This has resulted in nine national partnerships, including in Bangladesh & Nepal, where member organisations align their work with GNB’s global strategy. These national partnerships work to raise public awareness on the issue, work with governments to monitor and develop multi-sectoral strategies, and ensure that CSO efforts aren’t duplicative or fragmented. For instance in Bangladesh the GNB national
partnership is coordinating responses to the 2017 legislation, which allows marriages of children under 18. In Nepal, along with UNICEF, it helped organise a national girls’ summit in 2016.

Overall, GNB and its member organisations have resulted in stronger global and regional priorities for development including at the UN and through SDGs. This has lead to increased direct investments and funding and a greater consensus on strategies through evidence-based learning.

DrRanjanakumari and EnakshiGanguly offered further insights into the issues that should be tackled in the course of the consultation meeting.

**Child marriage needs to be seen as a gender issue** instead of looking it from just the perspective of women and girls. Practitioners must also look at how child marriage affects boys. Further, there is a need to go beyond looking at the impact of child marriage on a girl’s reproductive health. Because child marriage is a result of generational inequity, we need to also emphasise on girls getting their constitutional rights to education, good health, and economic rights like property to solve the problem. The messaging of interventions should encourage delaying marriage till both boys and girls are able to take care of the financial responsibilities that come with marriage to address generational poverty as a cause. There is a growing trend of couples under 18 marrying out of choice.
Practitioners must contextualise the adoption of the terms ‘early marriage’, ‘child marriage’ and ‘forced marriage’. ‘Early marriage’ should be used when the country does not have a legal age of marriage; ‘child marriage’ should be used in countries that do have a legal age of marriage, like India. ‘Forced marriage’ clearly implies a lack of consent.

There was caution against the use of laws as a preventive mechanism. Laws like Prohibition of Child Marriage Act, 2006 (PCMA)\(^2\) and Protection of Children from Sexual Offences Act, 2012 (POCSO)\(^3\) are often misused; the few cases of child marriage that do get registered are often by parents themselves who oppose a consensual relationship between their children. This criminalises sexuality, and fails to address why people under 18 feel compelled to get married.

Further, in the current socio-political scenario, there is a need to articulate the change we demand through laws very carefully. An example was given of how the outrage against the rape of a minor

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\(^2\) Prohibition of Child Marriage Act, 2006 prohibits the marriage of a girl under 18 and boy under 21. It also lays down guidelines to annul such a union.

\(^3\) Protection of Children from Sexual Offences Act, 2012 lays out guidelines to protect those less than 18 years from sexual abuse, including penetrative and non-penetrative assault, sexual harassment, and pornography.
girl resulted in an ordinance being passed in 2018, which awards a death penalty to anyone convicted of sexually assaulting a minor under age 12. We must also address the fact that it is difficult for women and girls to access their right to annul a child marriage under the PCMA, 2006 as there is a lack of normative change in implementing authorities. Practitioners need to understand mechanisms like the juvenile justice system, and engage child protection officers in a more efficient way.

**Practitioners also need to look at how policies are framed.** For instance the Rupashree⁴ and Kanyashree Parakalpa⁵ schemes in West Bengal, which provide cash assistance to girls for their marriage if they delay it till 18, are being praised. However girls are married off as soon as they turn 18 and the cash incentive is used for dowry instead of education. Such schemes don’t address the change in the notion of marriage itself, nor does it change the power dynamics, or the ability of a girl to make decisions. An S-S-S model, which simultaneously changes self, society and the system, is the need of the hour.

The speakers urged for a more multi-sectoral approach, and a better use of existing mechanisms at the village, block and district levels. This would ensure better accountability of existing mechanism.

GNB can provide support in India by building the capacities of CSOs, by sharing the overviews and learnings of the network, by increasing the visibility of individual organisations through its international reach. Collaborations can often be challenging, but by working towards a common goal, there can be many more victories.

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⁴Rupashree scheme gives one-time cash assistance of INR 25000 to girls from low-income families for their marriage. They have to be over 18.

⁵KanyashreePrakalpa incentivises delaying marriage till 18 by providing annual scholarships for girls between 13-18 years, and a one-time transfer of INR 25000 to girls when they turn 18, provided they aren’t married or are studying.
SECTION TWO: NATIONAL AND STATE STRATEGIES ON JOINT GLOBAL PROGRAMME IN INDIA
BY UNICEF & UNFPA

Speaker: Shobhana Boyle, National Programme Officer, UNFPA

This session shared strategies and lessons from a global programme being run by UNFPA and UNICEF in 12 countries including Bangladesh, Nepal, and India. The programme aims to directly impact 2.5 million girls across the world. Using a multi-sectoral approach, the programme influences girls, their families and communities, strengthens systems; creates an enabling legal and policy framework, and generates evidentiary data.

The drop in rates of child marriage in India from 47% in the third National Family Health Survey, (2005-06) to 27% in the fourth National Family Health Survey (2014-15) has contributed to an overall decrease in child marriage rates across South Asia. However, disparities within the region and in India continue. For instance districts like Jhabua, in Madhya Pradesh and Shravasti in Bihar, have prevalence rates between 55-69%.

The theory of change for the programme was jointly conceived with CSOs and other practitioners across the world. Given the complex and intertwined structures and norms that lead to child marriage, the strategy addresses not just symptoms but also the drivers themselves. The impact would be an overall increase in agency and value of girls, not just increase in age of marriage. A few examples were given on how this is being done in India.

The programme attempts to reach young people at scale by working with large-scale government programmes like BetiBachaoBetiPadaho, BijuKanyaRatna, and KanyashreePrakalpa. These result in collectivization of girls, transaction of life-skills, and linkages to education and health services and vocational skill building. They drive convergence between large-scale programmes at the field level.

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6 Run by the Govt. of India, this national scheme addresses the problem of declining child-sex ratio by using a multi-sectoral approach.
7 Biju Kanya Ratna is a scheme run by the Govt. of Odisha to tackle declining child sex ratio by creating an enabling environment for girls.
It engages communities through structures such as Panchayati Raj Institutions, Self Help Groups, Child Protection Committees⁸, School Management Committees⁹, and youth groups for advocacy and social behavior change communication initiatives. For instance in Rajasthan, large-scale campaigns have been created using local folk art to talk about issues that concern youth. The programme taps into the Bihar government’s ambitious project, which tackles child marriage and dowry together.

The programme also addresses the **need to build the capacities of government** functionaries. For instance learning tools have been developed to help government schoolteachers address issues like life-skills and SRHR issues.

There are also attempts to **create more enabling policies**. UNICEF is working with the government to make conditional cash transfer schemes more progressive. Cash incentives that girls get for delaying marriage till they turn 18 often get used for dowry. The programme aims to shift this by tying the scheme to enrolment in further education or vocational studies.

To conclude, the programme has **developed evidence of what works**. Child marriage has long-term impact on controlling the sexuality and fertility of women; of creating inequality of agency and economic power. The incidents of child marriage decrease with urbanisation and higher levels of education. With this in mind, combatting child marriage requires a holistic approach, which looks beyond reducing the age of marriage. It must question the centrality of marriage and work to improve agency for girls and increase their inherent perceived value. It is essential to engage married adolescent girls who have limited opportunities, and with boys as gatekeepers and victims themselves.

For the maximum impact, learnings need to be fed back into programmes quickly. This means that we must be able to share failures to change courses. While key indices of progress are necessary, too many indices prevent meaningful work.

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⁸ Bodies at the State and District level which function under the Integrated Child Protection Scheme to serve children at risk. Read more here and here.
⁹ These are set up under the Right to Education Act, 2009 and comprise of parents, teachers, and other village level officials to monitor the functioning of schools.
2.2: **Dance 4 Life**- Sharing a model on working with youth on SRHR and child marriage in Africa and Nepal

**Speakers:**

Ms. Anushree Mishra

Mr. Sajan Shrestha

Ms. Anushree Mishra and Mr. Sajan Shrestha represented Dance 4 Life, an Amsterdam based organization working in 33 countries with young adults on issues of sexual health and gender based violence.

Speakers shared and explained the empowerment model of Dance4Life which addresses problems like identity crisis and low self esteem of the adolescent population and envisions a world where they are able to make sexual choices and develop healthy relationships.

The model envisages the 'language of possibility' which includes thinking through different perspectives and striving to turn challenges into opportunities. It also believes in 'experiential learning' where children / adolescents are involved in learning through their own experiences that generate emotions within a safe space. They shared the creative strategies that Dance 4 Life adopts to address the social and gender norms in dealing with child marriage with the audience and concluded by stating that the empowerment model or the journey for life believes in reaching out to the youngsters through NGOs and networks who then will become the agents for change.
SECTION THREE: SHARING OF BEST PRACTICES FROM SELECT STATES

3.1: Rajasthan

Speaker: Arvind Ojha, Urmul Trust, Interim Coordinator GNB, Rajasthan

In the 1980s Rajasthan pioneered work to end child marriage through the Saathin Programme\(^{10}\) that trained articulate women at the village level to stop harmful practices and encourage behaviour change. However, as exemplified by the Bhanvri Devi rape case\(^{11}\), the state absolved itself of all responsibilities in protecting such women who spoke up. Though there is still a lack of political will in Rajasthan to tackle the problem of child marriage, coalitions such as those supported by GNB are mounting pressure on the government to take action. Dialogue and lobbying with the government has resulted in a State Strategy & Action Plan for Prevention of Child Marriage.

Statistics from Rajasthan show that child marriage is directly linked to lack of education and economic opportunities for girls. 48% girls married before 18 were illiterate and only 8% had completed graduation or a higher degree. 62% belonged to the lowest wealth quintile.

Urmul's initiatives include lobbying with the state and involving the community. To create a focal point of where children's rights like education and safety are held, a Directorate of Child Rights was created as a result of CSO pressure. Community engagement, like that with religious leaders, is another strategy as this is the level where maximum change is possible. Community leaders who speak out against child marriages are felicitated by government officials to encourage more people to do so.

Key challenges that need to be addressed include creating greater political will, and more funding commitments from the government; ensuring that there is convergence between different state departments to address issues like school drop outs and security threats to girls and women; developing a better understanding of laws and implementing them more effectively; and building a strong network that works at the grassroots.

3.2: Bihar

\(^{10}\) Social workers elected at the village council level. They support women in accessing govt. schemes and act as mentors.

\(^{11}\) Bhanvri Devi was a Saathin who was raped by upper-caste men for protesting child marriages in the community.
**Speakers:** Anand Madhab, Principal Consultant, Gender Resource Centre, Department of Social Welfare, Government of Bihar

Joshy Jose, Breakthrough

Priyanka Sreenath, MAMTA

The speakers from Bihar showcased the impact of combining political will and resources with community-level work. The Bihar government is working on the issues of child marriage and dowry simultaneously. A significant other step is that the government is willing to work with CSOs and also attempting to take a holistic approach to ending child marriage. Departments working on social welfare, health, Mahadalit development\(^1\) and home affairs are being brought together. Simultaneously there’s an attempt to build capacities at the grassroots by working with teachers, Panchayats and religious leaders. The organisation, MAMTA is also working towards convergence at a district level and prepares more frontline workers to tackle the problem of child marriage.

Breakthrough is also working at the community and school level and engaging similar groups to build a safer environment for adolescents. They have also developed curriculum that broaches the subject of SRHR and engages boys. The goal is to chip away at the norms that enable child marriage by providing alternative norms.

There has also been active engagement with the media. Both experienced and budding journalists have been oriented to the technicalities of child marriage, what good reports would look like, and how there should be long-term public interest in the issue. The government and Breakthrough have worked together on this.

The key challenges for the state remains an emphasis on using the age of 18 as a threshold after which marriage is okay. While interventions have resulted in lowering the average age to 16.5 years, many girls are married off immediately after they turn 18. There needs to be more support to those break away from the norm of early marriage; how do we deal with cases of girls who do stop or delay marriage or are harassed in the process? Another key point is that the budget is often not outcome based; there aren't enough provisions to reach everyone in need.

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\(^1\)A term used for the most marginalized Scheduled Castes in Bihar.
3.3: Karnataka

**Speaker:** Brototi Dutta, Centre for Law and Policy Research, Karnataka

Laws shouldn’t be seen as a solution to child marriage but must definitely be used a strategy to reduce the rates of child marriage. It is important to implement these in a way they don’t further victimise women and girls.

In Karnataka there have been many changes in the laws to prevent child marriage, given the grim statistics in the state. A 2006 Public Interest Litigation called for a stricter implementation of the PCMA. In 2011 an expert committee recommended that child marriages be made *void ab initio*; Child Welfare Committees be strengthened; and made the registration of mass marriages compulsory. A detailed two-step registration procedure for the latter was laid down in 2014, whereby: 1) every organization that conducts mass marriages has to register itself with the government. 2) Every time they conduct a mass marriage they have to re-register themselves.

A further ruling in 2017 gave *suo moto* power to the police to report, and take cognizance of an incident of child marriage. Another provision was to increase the penalty; but making stiffer laws does not ensure prevention. Additionally it removed the provision, which prevents women from being punished under the law. The entire process of bringing these amendments was non-participatory, so the rationale for taking out the provision is unknown.

CLPR engages with the Karnataka Government to implement these changes, as there is a lack of clarity on that front. The Central PCMA says that a woman needs to file for a decree of annulment in the court to void the marriage. In Karnataka there is no clarity if this is still needed, nor on her rights to maintenance and custody.

On the legal front there are some major gaps and challenges to combat child marriage. This includes the operation of the void and voidable clause; the potential criminalisation of women; the age of consent vs. the age of marriage. The latter is especially true in cases of self-initiated marriage, which also happen to make a large part of the cases that are reported. The conflict between personal and customary laws is a double burden for women. The *Independent Thought Vs. Union of India* judgement however gave the PCMA primacy over personal laws. Case law in India is problematic itself because the judgements range from declaring child marriages from valid to invalid.

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13 To be treated as invalid from the start.
14 When a government body acts on its own cognizance.
In terms of implementation of laws and implementing authorities there needs to be a greater accountability from Child Marriage Prevention Officers (CMPOs). Often Child Line has to register cases in its own name and this is a problem because there is no good faith clause for service providers. There is no convergence between departments to track the number of child marriages and related data. Women continue to face social stigma when they try to void their child marriages. Further, few judges are aware of clauses like the injunction clause.

The presentation ended with suggestions, which include training for implementing officers; strengthening local government actors and community influencers; and the appointment of an Independent Rapporteur on Child Marriage.

18 is not a magic number, and looking at case laws the courts seem to agree. This would be a good entry point to work with the judiciary on child marriage laws.

3.4: Meghalaya

Speaker: Joy Grace, North East Network

The North East network works in Assam, Meghalaya and Nagaland. Meghalaya has three main tribes and is a matrilineal society. The latter leads to the presumption that girls are empowered. And while they do have more mobility than other Indian states, there is a steady infusion of patriarchal norms leading to heinous crimes against women. There’s been a 65% increase in child sexual abuse. The reasons that women give for getting early married include the belief that they won’t find a husband later; it’s good for mother and child to be of a similar age; to escape abuse and alcoholism in families. In Meghalaya, child marriages are under-reported because cohabitation is accepted and encouraged by religious leaders. One key strategy for the Network is to work with them to make them more gender sensitive as they have the ability to discourage families from practicing child marriage.

The North East Network works with women’s collectives and builds their capacities to understand rights and entitlements. For real change, the needs must come from the society itself. Patriarchal norms can change only with a change in mind-sets, which then allow better implementation of laws and change in institutions and communities.

A recent impact of this work has been that the education department has agreed to teach reproductive rights under the life-skills programme at schools. This was because the Khasi Hills Women’s Collective called for a convergence meeting to introduce life skills training to deal with early pregnancies and substance abuse. If this works at a district level it will be implemented in other areas. A major challenge being tackled by the network is that District Social Welfare Officers who are also Child Marriage Prevention Officers aren’t aware about the issue. The Network is now going to train them to understand the legal mechanism better.
3.5: West Bengal

Speaker: Dr Indrani Bhattacharya, Assistant Director, Child in Need Institute

The Child in Need Institution (CINI) has been working for 44 years in West Bengal, Jharkhand, Odisha and the North Eastern States. They use a rights based and preventive approach to tackle the problem of child marriage in a holistic way. A continuous care approach ensures that girls and women get access to critical services such as immunisation, nutritious food, education, life skills, etc. through their life. It also enables communities to hold Panchayati Raj and urban bodies, responsible for service deliveries, accountable. The end goal is to create child-friendly communities and to empower women and children for their own development.

The prevention mechanism model has three levels: The primary level ensures that children have all the services they need; to go to school, get nutrition supplements, get sanitary napkins, food etc. The organisation works with different government programmes including the National Health Mission, Livelihoods Mission, Integrated Child Development Scheme and Integrated Child Protection Scheme. The second level identifies children at risk through community based monitoring and they become the focus of activities. They are using a mobile based tracking app called G-Power to track vulnerability in real time. The tertiary level works with children who have already been victims of child marriage, trafficking, and child labour. The focus is more on the primary level and to bring those at a tertiary level to primary level – to get access to a safe environment.

The community is the key stakeholder in the interventions as a safe community ensures that children don’t face threats like child marriage. Programmes also bring together stakeholders like adolescents, religious leaders, child welfare committees, and officials responsible for delivering services. For instance adolescents are trained to map out vulnerable girls in the community so that they can get the help that they need. They encourage and support brave girls who protest child marriage and organise felicitations by the village head or district magistrate.

The impact of these programmes can be seen in the way CINI has worked with the government’s SABLA programme15 and RashtriyaKishorSwasthyaKaryakram(RKS)16. In the former programme,

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15 A scheme run by the Govt. of India to empower adolescent girls with information about healthcare and give them vocational skills
16 A health programme for adolescents, in the age group of 10-19 years, which would target their nutrition, reproductive health and substance abuse, among other issues.
they’ve incorporated the issues of child marriage, trafficking, and girls’ protection. They’ve encouraged the involvement of boys and parents in the activities. The programme has also reached out to 26,262 anganwadi centres\textsuperscript{17} to make them adolescent friendly spaces in addition to their existing role of catering to the needs of children between 0-6. CINI’s interventions on RKS K has been adopted by the Government of India as innovative best practices, and could be replicated through the public health system.

Dr Bhattacharya ended with some recommendations for further programming. The articulation of the problem of child marriage needs to be broadened to include gender, sexuality and the centrality of marriage and violence. Children and adolescents must participate in local level platforms to advocate their own issues. There is a need to invest in research and knowledge building around the issue; raising the media’s awareness, and to building a strong network of the State, civil societies, funding agencies, and others.

3.6: Tamil Nadu

Radha Damodaram President, Health and Education Alternative Development Studies (HEALDS)

Dr. Satish Babu Chief Functionary, HEALDS, Tamil Nadu

There are approximately 7,000 cases of child marriages that have been reported since 2008 where the majority of victims have been found to be girls between the age of 13 to 15 married off to men as old as 65. Dharampuri and Salem Districts have the highest prevalence rates. A recent study found that only 6 cases of child marriage are registered in Tamil Nadu under the PCMA.

The Campaign for Ending Child Marriages in Tamil Nadu, (CECM-TN) is the only network in the state and works with 320 NGOs in 32 districts. Since the key drivers of child marriage vary in each district, the strategies employed to deal with are also tailored accordingly. A survey of 2097 victims of child marriage across 60 villages in five districts was done to understand its impact. Child marriage accounted for 56% of school drop outs; 68% child brides weren’t aware of HIV/AIDS or STDs; 1907 respondents faced harassment in family; 72% didn’t work; 88% reported facing physical, psychological and other kinds of violence in the family.

The major recommendations of the programme include using legal and social advocacy to tackle child marriage. This includes empowering girls with information, skills, and support networks at the district level; enhancing access to formal school education and economic support. It also engages adolescent boys through creative methods such as movie screenings in schools and colleges.

\textsuperscript{17} A centre that operates at the village level as part of the Integrated Child Development Scheme. It acts as a learning centre for children up till 6 years and provides other facilities.
The end goal is to create model villages with no child marriage. There is also an attempt to make age proof certificates mandatory while registering pregnancies at the village level to prevent maternal and child mortality; and linking Aadhar numbers with marriage registrations.

3.7: Odisha

**Speaker:** Ghasiram Panda, Action Aid

The first challenge in Odisha has been to convince the state government that child marriage is actually an issue. The organisation has tried to build evidence through regional meetings and case studies. This was further established with the publication of the NFHS-4 data.

The State has created rules and is initiating training for child marriage prevention officers. Simultaneously, CSOs are floating platforms in the state to engage communities. Districts like Koraput and Raigarh have resolved to make child marriage free villages. There’s also an attempt to engage caste-based and tribal groups, especially adolescent and youth. Public pledges to end child marriage taken by such groups are being publicised through media intervention and felicitations.

Knowledge platforms with journalists, government officials, and CSOs have been created, which meet once a quarter. There is an attempt to make the Child Rights Commission to convene these to make them sustainable. To combat the continued lack of data, a recent petition was filed with the National Human Rights Commission to direct the State to issue an annual report and give updates on the status of child marriages in India.
4.1: ESSENTIAL SERVICES

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<th>Moderators: Indrani Bhattacharya and Veenu Kakkar</th>
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<td>Mr. Arun Jindal, Society for Sustainable Development</td>
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<td>Ms. Monu, Consultant, Girls Not Brides</td>
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The group looked at how access to education and health could reduce incidents of child marriage. Rather than a multi-stage plan, the group presented three main asks that participants could work towards. It would be possible to implement all suggestions immediately and build up from the ground.

**Strengthening education delivery mechanisms** was a commonly expressed need. The maximum school dropouts occur in the fifth, ninth and eleventh grades. The major deterrents include the distance of schools; threats to safety while going to school and in school (this includes sexual harassment and corporal punishment by teachers); nonexistent and non-functioning toilets; girls being forced into child care of siblings; migration and child labour. The group further shared how schools with less than 25 children in states like Odisha were being shut down, further reducing access to education. In Odisha, continuous lobbying has stopped this, but there is a silent national trend in this direction.

To resolve these issues, the group suggested that teachers held the responsibility for last-mile service delivery. They need to be trained on providing students with counselling and life skills, including subjects like SRHR and bodily integrity.

**The first major ask was to improve tracking mechanisms in areas where children are vulnerable to trafficking and child labour.** Often teachers falsely mark children as present to show that they haven’t left. Duty-bearers like teachers, principals, sub-inspectors and district authorities need to monitor schools for cases of absenteeism to assess which girls and boys have dropped out because of child marriage, migration and child labour. An example of how this could work was shared from Jharkhand. A survey in 132 villages had revealed that 9000 kids would migrate from the area, but there were no records of this. On convincing district officials that the problem was real, it was decided that the school structures would include seasonal migration...
hostels. A commitment has been made to build 16 hostels and eight schools have been stopped from being shut by making them schools for migratory children.

School monitoring committees and parent teacher associations need to bring in young adults to have an active role. This way they are empowered to be young decision-makers and have a space to share their experience. The Right to Education Act needs to be extended to include adolescents up till 18 years. It was suggested that this should be the goal of the five-year advocacy.

The second major ask was to take a more comprehensive approach to skill development among children and adolescents. Skills should include music, dance and rather than being limited to learning about computers and machines. There should be mechanisms to bring children back to schools through open courses and bridge courses. Another component of this is life-skills education, which must include conversations on social issues, bodily integrity and responsibility, SRHR. The next generation should know about and have control and rights over their own bodies. There is need to study policies around this very well so that they can be integrated. These also need to be publicised.

In terms of access to healthcare the group suggested that the RKSK needed strengthening by including SRHR, mental health and counselling in a way that it creates a space for adolescents’ sexuality to be expressed. Services should include access to safe sex and safe abortion. Further, girls who have already faced forced marriages should also be part of these conversations.
Creating child friendly Panchayats was the third main ask. This would include reviewing existing models that work at the community level and use those case studies to find the scope for scale-ups. There is a need to collect more evidence at the state and district levels to assess the vulnerability of certain groups. This would enable evidence-based advocacy. The group also spoke about increased sponsorship through Integrated Child Protection Services; this means asking for funds to be distributed wider.

Overall the group recommended that government programmes need strengthening and publicity. Simultaneously NGOs and CSOs need to work together, and with the government. Donors need to be sensitive to the needs of communities and therefore should enable long-term grants that include budgets for evidence building, monitoring and evaluation. This would help develop a comprehensive model for outcome based scaling up.

QUESTIONS AND COMMENTS:

While addressing sexual health, there’s a need to include boys too. Recurrent understanding from boys is that they have no clue about their sexuality. It was also pointed out that while encouraging young people to be change agents, rather than just looking at children/adolescents in the unorganised sector, including children on the other side of the divide might result in interesting advocacy opportunities.

Certain vulnerable sections were still being left out of the conversation. This is especially true of disaster-affected areas and children who work in brick kilns. There are no feedback mechanisms to escalate these issues. It was suggested that there should be greater engagement with the National Commission for Protection of Child Rights, state commissions and High Courts.
4.2: LAWS AND POLICIES

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<th>Group Participants:</th>
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<td>Partners of Law in Development, Delhi</td>
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<td>FXB Suraksha, Delhi</td>
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<td>Urmul, Rajasthan</td>
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<tr>
<td>Sri RamanandSaraswatiPustakalaya (SRSP), Uttar Pradesh</td>
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<tr>
<td>Health and Education Alternative Development Studies, Tamil Nadu</td>
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<tr>
<td>Centre for Law and Policy Research, Karnataka</td>
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<td>Association for Advocacy and Legal Initiatives, Jharkhand and Uttar Pradesh</td>
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The groups deliberating the role of legal advocacy started with establishing the systemic failures of existing laws like Prohibition of Child Marriage Act (PCMA), and Protection of Children from Sexual Offences Act (POCSO), and failures of the implementation mechanisms. The group then moved on to present recommendations to overcome these barriers.

One of the major systemic failures has been that laws often end up penalising consensual marriages and elopement cases. Most cases under PCMA and POCSO are reported by parents trying to stop such marriages, which in a sense criminalises sexuality and denies young people the right to choice. For instance POCSO provides for mandatory reporting of offences under the Act, which makes it very difficult for underage girls to access reproductive health services.

A second problem is that customary practices and personal laws mean that child marriage isn't recognised a problem and isn't reported. This is despite the fact that the PCMA has supremacy over personal laws. There is a lack of clarity on how to handle the phenomenon of group marriages. While holding their organisers to more stringent account through registration is one way, it might also involve better tracking of birth and marriage registrations. Overall, there's a multiplicity of laws but a lack of clarity on what should be done in certain cases, including by implementing officers themselves.

Further there an issue of the recent Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill 2018. Under this trafficking for the purpose of marriage is an aggravated form of trafficking for which punishment ranges from 10 years imprisonment to life imprisonment. If enacted it will add to the multiplicity of laws that already exist to combat child marriage.
There is a failure to implement existing as well. For instance representatives from the Human Right Law Network pointed out that their RTIs showed that there was a huge gap between the cases reported to Child Marriage Prevention Officers (CMPOs) and those that were recorded by the National Crime Records Bureau. CMPOs didn’t have any data on their areas on child marriage. It was also reported that full time CMPOs have been appointed only in Haryana, in other states their duties include those of tax officers, revenue officers.

The budget to implement the PCMA is inadequate and this reflects in the lack of shelter homes for those seeking to escape child marriages. The PCMA allows for making marriage void and provides a survivor with maintenance, but a child needs much more to live a fuller life. The law does not take this into act. Laws like Protection of Women from Domestic Violence Act, 2005 and the Dowry Prohibition Act could also be used to help survivors of child marriage, but they don’t allow marriages to be voided. Further, children and adolescent so not know what officials they

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18 The law is for the effective protection of the rights of women guaranteed under the Constitution who are victims of violence of any kind occurring within the family

19 This law lays down the penalties for people engaging in the giving and taking of dowry and domestic violence that may result from it.
should approach to report a child marriage or to seek protection. Laws therefore need to be made accessible to the people they're for, especially women and girls in this case.

The group's recommendations centred on training those responsible for implementing the laws and looking for possibilities of convergence in laws. In one-two years it would be possible to develop standard operating procedures for all officials. None exist at the moment. This could be done by creating IEC materials for police officers, schools, and judges. A larger project would be to get government buy-in to include this in trainings at the judicial academy and police academy where large-scale trainings happen for government officials like judges, doctors and CMPOs and so on.

A second component would be to carry out a gender budgeting of schemes. For instance, how much money is spent on the implementation of the PCMA? There is a need for further desk research on how different laws can work together.

The group felt that while engaging different stakeholders is important, there's also a need to monitor how a case is handled after it is filed. Monitoring tools should be developed for this. In conclusion the group recommended that any activities done now should be in a way that reach scale. Implementing laws should address the dichotomy between age of consent and marriage and should not result in criminalising sexuality.
4.3: SOCIAL NORMS

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<th>Moderators: Indira Pancholi and Usha</th>
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<td>Group Participants:</td>
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<td>Mr. Joshy Jose, Breakthrough</td>
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<td>MsAditi Tewari, Voluntary Health Association of India</td>
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<td>Ms. Divya, Pravah</td>
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<td>Ms. Rubina Ann Philip, MAHITA</td>
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<td>Ms. Nargis, SrijanMahilaVikasManch (SMVM)</td>
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<td>Mr. Imtiyaz Akhtar, SrijanMahilaVikasManch (SMVM)</td>
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<td>Ms. Pratibha, Asitiva</td>
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<td>Ms. Shamiza, VikalpSansthan</td>
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The group working on social norms expressed their challenge in working on this vast issue. On a programmatic scale, the inability to change norms is blamed for the failure to end child marriages. The group decided to focus on a few key norms; laid out target groups for interventions and suggested advocacy strategies.

The group put forward that while many norms that drive child marriage are rooted in patriarchy and the idea that girls are inferior, the sanctity associated with marriage is a key issue in itself. Marriage is considered a good deed and an essential aspect of life. In addition securing the safety of a girl's honour and future are also key drivers. This raises the issue that girls do indeed face the threats of violence and abuse in society; simultaneously, the threat they face in their own families goes unacknowledged.

The overall target group would be people between the ages 10-25, with interventions split up to suit the needs to three age groups: 10-14, 15-18 and 19-25. The interventions would base themselves on what each groups considers as safety, and would involve them by drawing on their aspirations. The group between 19-25 was seen as a key target as they would be able to influence positive behaviours in their families and society.

Interventions should also engage key influencer groups like parents, frontline health workers (Anganwadi, ASHA worker and Auxiliary Nurse Midwives), teachers, and caste and religious

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20 Accredited Social Health Activists (ASHA) are recruited at a village level to deliver basic healthcare facilities to their communities.
leaders. Since they work in the community they will have to be encouraged to challenge their own communities. Stories of those who break trends and traditions must be highlighted at a large scale.

It was felt that key messaging should be consistent from the ground to the centre. Effective media like PSAs, ads, and films should also help spread these.

The **key advocacy steps** suggested by the group included incorporating a gender-curriculum at every stage till graduation. Re-positioning cash transfer schemes that incentivise delaying marriage till 18, in a way that they truly enable girls to exercise agency in matters like education and when to marry. Gram Panchayat Development plans should have budgetary allocations to enable planning for child marriage prevention activities from the village to district level. The group expressed that 18 is not a magic number and therefore conversations around delaying marriage should be in a framework of empowerment that would enable a person to fully decide when they want to marry. Sexuality is also an important part of this conversation.

Given that the experience of each community is different, the challenge would be to address norms in a way which take on board the complexities of caste, tribe, and geographies.
SECTION FIVE: CLOSING REMARKS

Speakers: Kamla Bhasin, Feminist activist, writer, Advisor Sangat
Ranu Bhogal, Director - Policy, Research & Campaigns, Oxfam India
Sonali Khan, Director, Dasra

The closing address was an honest reflection on the achievements of the women’s rights movement and a reminder of everything that still needs to be done. The speakers laid down that shifting to an approach that has empathy and collaborations at the heart is the need of the hour.

Kamla Bhasin shared that **tackling socio-economic deprivation was necessary to combat child marriage.** She said that though her grandmother and mother were child brides, her generation of women were not. This was the result of education and economic progress. She pointed out that areas where child marriage is still prevalent are yet to see such socio-economic development. In these cases often marrying children early is indeed the most logical thing for a family to do; to combat the problem we need to treat it as part of a larger human rights violation issue.
The issue of sexuality cannot be ignored. It is natural for adolescent boys and girls to be curious and to experiment, and so interventions shouldn't stigmatise these. 18 should not be the minimum age at marriage.

Sonali Khan added that it is vital to bring adolescents into programming; they need to be enabled to speak up for themselves and practitioners need to listen to what they want and need. So we need to break this idea that adults know what’s best for children. The speakers pointed out the need to break away from existing norms but create interventions and messaging from a place of respect and empathy.

Further, there is a need to build honest evidence. There is a tendency to give primacy to the results instead of the process. Practitioners need to engage with people beyond their thought bubbles and be prepared for outcomes different to what they had planned.

RanuBhogal pointed out that things are happening in some areas of services delivery but more consolidation is needed. It is important to find the good people who make a system run, and work with them to bring change. We need to map social norms in different groups extensively, especially social and religious groups. The lens from which the problem is being seen must be wide. Ultimately unless programmes change minds, no amount of good laws can tackle the problem.
Strategies and suggestions from the participants for a way forward

Name of organization: PRAVAH

- Curriculum to address the issue of child marriage with peer educators and youth.
- Training facilitators at grassroots.

Name of organization: Partners in Law & Development

- Include issues of self initiating marriages within the training material for judges/police etc to ensure that sensitivity towards issues of sexual control involved in such cases.
- Advocacy around social norms for sexual control of young girls and women.
- Creating economic opportunities for young girls through skill development.

What PLD can do:-

Generate evidence around self-initiating adolescent marriages, and the engagement of the legal sector with such cases.

Name of organization: MAHITA (Telangana and Andhra Pradesh)

- Look at the policies and laws especially the appointment of CMPOs.
- National media campaign with a major thrust on social media.
- Religious, caste and traditional leaders’ involvement at the district, state and national level.
- Develop youth advocates as well as champions for other groups.
- Quality and accessibility to secondary education. Also look at RTE provision till 18 years.

Name of organization: SRSP, Azamgarh, Uttar Pradesh

Collectively:

- State specific network & advocacy plan
- Capacity building on various laws impacting on various issues for CSOs.
- Trainers and training modules availability for district level training for quality assurance.

Within our organization:

- Dialogue with community and advocacy with stakeholders like parents, teachers, PRI members and health workers like Asha and Aganwadi.
- Convergence meeting with various stakeholders and training of child protection imparted at Thana level.
- Awareness program amongst youth (boys and girls) on existing laws and policies and its impact on their life, sexuality and sensitivity.

**Consultant: Veenu Kakkar**

- Review policies and push for convergence governmental organizations.
- Convergence with other NGOs for service delivery and education.
- Advocacy and campaign on specific issues chosen by the group. My take is sexuality/safety.

**Sushmita Verma, Intern, Independent Thought**

- We need to work with children (one who are suffering/victimized to child marriage).
- We can can/should involve government system i.e. the governing bodies, directorate, etc.
- Amendment and implementation of law is the major step we need to take, and that would not be possible without the involvement of legal as well as civil sector.
  (delhi.sushmita@gmail.com, 8920994432)

**Name of organization: Action India (Soni and Anita)**

- Gender and equality discussion with girls, boys and family.
- Services for safe sex and abortions
- Focus on mental health and counseling.

At organizational level

- Collaboration with other NGOs.
- Discussion with youth on skill development, relationship and life skills.

**Ghasiram Panda ActionAid**

- To stop closure of schools—keeping all children in schools.
- To monitor and strengthen ICPS.
- To amend PCMA—making child marriage void

Organizational level:

- Building and strengthening of collectives like knowledge of collective like knowledge platform, platform of youth and adolescents said no to child marriage, platform of caste, tribes and religious leaders.
- Strengthening community capacity—ensuring community tracking mechanisms.
SrijanMahilaVikasManch (SMVM)

Organization:

- To have dialogues with community (PRI, parents, teachers, health workers, ASHA)
- Convergence meetings of various stakeholders and training of child protection officers.
- Awareness program among youth (boys and girls) on existing laws and policies and its impact on their life, sexuality and sensitivity)

Collectively

- State specific network and advocacy plan.
- Capacity building on various laws impacting on various issues for CSOs
- Trainers and training modules availability for district level training for quality assurance
  Raja Mohamed, Meera Foundation

Name of organization: Society for Sustainable Development, Rajasthan

- Adolescent education (up to 12th)
- Community/Adolescent mobilization awareness on social norms.
- Reproductive and sexual health right issues.
- We should work collectively on Policy/legal advocacy on above three issues at learning from the field.
- Media advocacy.
- IEC in Hindi and local language.

Name of organization: Sarathi Development Foundation, Lucknow

- Advocacy for school level bridge courses for mainstreaming of out of school girls including early married.
- Documentation and dissemination of potential models/practices implemented/ being implemented by civil society organization to address child marriage holistically.

Name of organization: MahilaJagran Kendra, Patna Bihar

- We can promote sustainable and long term shift in the mindset and social norms that perpetuate child marriages.
- We can collectively work for an enabling environment and strengthen mechanisms which prevent child marriages.

Things which I will do at my organization level

- I with my organization members will definitely try to make indicators on which evaluation and monitoring can be done.
The way "Dance4Life" is engaging with children, youth, adult etc, its very innovative and creative. Will definitely try in our area.

Raja Mohamed, Meera Foundation, Tamil Nadu

Three suggestions for collective action:

- To orient and inform about JJ act and ICPS services to all NGOs.
- Gathering and sharing experience against child marriages in State.
- Getting up unity of strategy against child marriage in state.

Three suggestions for organization:

- Orientation among NGOs, Departments, Police and private sector on JJ act and Child Marriage Act.
- Tracking of dropouts and out of school children.
- Engaging with media.

Name of organization: Oxfam India

- Education: Increasing RTE purview to 18.
- In the preamble of Supreme Court’s verdict on 357 -2 (IPC), national level work on bringing change in the ACT especially on void and voidable.

Oxfam India, Julie

- Void versus Voidable.
- Review of child relevant laws and implementation.

Organization and contributor’s name not mentioned

District/organizational level

- Strengthening of Village level child protection committees.
- Strengthening of network at the state level.
- Make birth certificate compulsory at the time of identifying ANC mothers.

Collectively:

- Celebrate/ assign a day for “No child marriage” at the national level.
- Declaration on End underage pregnancy.
- Education till 12 standard campaigns for minimum education for girls.
Name of organization: AALI, Jharkhand

- Training of case workers and other stakeholders on the Prohibition of Child Marriage Act, 2006
- Under injunction order of Section 13 of Prohibition of Child Marriage Act, 2006, assist CWC and Childline for advocacy. Make judges aware and train them to give injunction order from the court.
- Several cases are of survivors who are minors. We can register their case under PCMA which can assist in data collection and which furthers helps in advocacy on the issue with related stakeholders and departments.

Poonam Toppo, ASHA

- Campaign for change in social norms at the community level.
- Sensitization of stakeholders on the issue of child marriage.
- Assist policy makers to formulate makers to formulate right policies.
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