

Law Enforcement Challenges in Preventing Child Marriages in Rural Khyber Pakhtunkhwa (KP)

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Abstract: Child marriage remains a critical challenge in rural Khyber Pakhtunkhwa (KP), Pakistan, despite existing legal frameworks aimed at its prevention. This article explores the multifaceted law enforcement challenges in curbing child marriage in KP's rural areas, focusing on the intersection of outdated legislation, socio-cultural norms, institutional weaknesses, and economic pressures. Tribal customs such as "Vani" and the authority of jirgas often override formal laws, while poverty and limited education fuel early marriage practices. Law enforcement agencies face barriers including lack of training, resources, political interference, and fear of community backlash, which undermine efforts to prosecute offenders and protect vulnerable girls. The article examines the severe health, educational, and economic consequences of child marriage on girls and their communities. It also highlights ongoing government and NGO initiatives addressing the issue, while pointing out gaps in coordination, legislation, and social acceptance. Finally, the article provides actionable recommendations to strengthen legal enforcement, enhance institutional capacity, promote community engagement, and improve education access to create a sustainable path toward ending child marriage in KP. Addressing these challenges is vital to safeguarding children's rights and promoting social and economic development in the region.

Keywords: Child marriages, Vani, Jirgah,

Introduction

Child marriage when girls or boys marry before they turn 18 is a serious problem that affects millions of children worldwide. It robs them of their childhood, education, health, and future opportunities. While many countries have laws to stop child marriages, the practice continues, especially in poor and rural areas. Pakistan is one of those countries where child marriage remains widespread, despite laws and international commitments to end it. According to UNICEF, about 21% of girls in Pakistan are married before 18, and this number is even higher in rural provinces like Khyber Pakhtunkhwa (KP) (UNICEF, 2021).

KP is located in the northwest of Pakistan and has a unique mix of tribal traditions, poverty, and conservative social values. These factors make child marriage a deeply rooted problem there. In many rural parts of KP, families marry off their daughters at a young age due to poverty, lack of education, social pressure, and the desire to protect family honor. Customary practices like "Vani" or "Swara," where girls are given as compensation in disputes between tribes or families, are still common in some areas. These traditions often override the law and cause serious harm to girls (Girls Not Brides, 2019).

Despite the fact that Pakistan has laws against child marriage, enforcement in KP is weak. Law enforcement agencies and courts often struggle to intervene because of limited resources, lack of training, and the powerful influence of local tribal councils called jirgas. These jirgas sometimes make decisions that contradict official laws, allowing child marriages to happen with impunity. Victims and their families may also fear stigma or retaliation, which keeps many cases hidden (HRW, 2018).

This article will explore the many challenges that law enforcement in rural KP faces when trying to prevent child marriages. It will look at the legal framework, social and cultural factors, institutional weaknesses, and the impact on girls and communities. Finally, the article will suggest ways to strengthen law enforcement and protect children better.

By understanding these challenges in detail, we can find practical solutions to help end child marriage in KP and protect the rights and futures of children in this region.

Legal Framework Against Child Marriage in Pakistan and Khyber Pakhtunkhwa

Pakistan has had laws to prevent child marriage for nearly a century, but enforcing them remains a challenge. The foundational law is the Child Marriage Restraint Act of 1929, which prohibits marriage under the age of 16 for girls and 18 for boys. However, this law is outdated and does not meet current international standards or adequately protect children's rights.

Over time, there have been efforts to strengthen these laws. In 2018, the federal government proposed raising the minimum legal age of marriage to 18 for both boys and girls. This change aligned with Pakistan's commitments under international conventions like the Convention on the Rights of the Child. However, the bill faced fierce opposition from conservative groups and religious leaders who argued that such laws interfere with cultural and religious practices. Under this pressure, the government withdrew the bill, leaving the legal minimum age for girls at 16 (Girls Not Brides, 2019).

Adding complexity to the issue is the fact that Pakistan's provinces have varying laws on the minimum age of marriage. Provinces like Sindh and Punjab have passed laws setting 18 as the legal minimum age for marriage. Sindh, for example, enacted the Sindh Child Marriage Restraint Act in 2013, which strictly prohibits child marriage and carries penalties for violations. Punjab followed with its own law in 2015, also setting the minimum marriage age at 18. These provincial laws reflect a growing awareness of child marriage as a human rights violation and provide stronger tools to combat the practice (Dawn, 2024).

Khyber Pakhtunkhwa, however, lags behind. It still operates under the 1929 Child Marriage Restraint Act without provincial amendments. There have been calls from civil society and human rights organizations for KP to pass a law similar to Sindh and Punjab, but these efforts have not succeeded. The lack of a specific provincial law means there is a legal gap when it comes to protecting children in KP from early marriage (HRW, 2018).

Even where laws exist, enforcement is a major hurdle. Police and judicial authorities in rural KP are often ill-equipped to handle child marriage cases. Many cases go unreported because families fear social backlash or do not trust formal legal processes. The involvement of local jirgas further complicates enforcement. These tribal councils often resolve disputes through traditional means, which can include arranging child marriages as a form of compensation or to preserve family honor. Jirgas operate outside the formal legal system and can override laws, making it difficult for law enforcement to intervene (Girls Not Brides, 2019).

Another challenge is that many child marriages in rural KP are not officially registered. This lack of documentation means authorities often have no proof that a child marriage has taken place, making it nearly impossible to prosecute offenders. Additionally, corruption and social pressures on officials can discourage them from pursuing cases aggressively. In some cases, law enforcement personnel may sympathize with local customs or face threats from powerful tribal leaders (HRW, 2018).

Understanding why child marriage remains common in rural Khyber Pakhtunkhwa (KP) means looking beyond laws to the social and cultural context that shapes people's lives and decisions. In many villages and tribal communities of KP, child marriage is not just a legal issue; it is deeply woven into tradition, poverty, religion, and family honor. These factors create a complex environment where laws alone are often powerless to stop the practice.

Tribal Customs and Traditional Practices

One of the most significant drivers of child marriage in KP is the tribal customary system. In many areas, local jirgas — informal councils of elders — hold great influence over community decisions, including marriages. These jirgas often enforce traditions such as “Vani” or “Swara,” where young girls are given in marriage as a form of compensation to settle disputes between families or tribes. For example, if a crime like murder or theft occurs, a girl may be married off to the opposing family to end the conflict. These marriages are rarely voluntary for the girls and are often seen as a way to maintain social peace (Girls Not Brides, 2019).

While these practices have been legally banned, they persist due to the authority of jirgas and the lack of effective state intervention in remote areas. Communities often prioritize customary law over national laws, viewing it as more legitimate or practical. Because of this, many child marriages happen with the approval or even encouragement of local leaders, leaving girls trapped in cycles of violence and disempowerment.

Poverty and Economic Pressures

Poverty is another powerful factor that pushes families toward child marriage. Many rural families in KP live below the poverty line and see marrying their daughters early as a way to reduce financial burdens. Girls are often considered economic liabilities because families must pay dowries and provide lifelong support. By marrying daughters off young, families believe they can secure their future through a husband's family or avoid costs altogether.

In some cases, child marriage is linked to the hope for financial gain. Poor families may accept dowries or “bride prices” that provide immediate economic relief. Unfortunately, this transactional view of marriage commodifies girls and treats them as assets rather than individuals with rights (UNFPA, 2019).

Economic hardship also contributes to the low priority given to girls' education. Many families do not afford to keep girls in school, especially when they perceive education as unnecessary for girls who will marry young. Dropping out of school to prepare for marriage is common, which perpetuates cycles of poverty and lack of empowerment.

Social Norms and Gender Roles

In KP's patriarchal society, girls are often valued primarily for their roles as wives and mothers. From a young age, girls are socialized to prioritize family responsibilities over personal ambitions. Early marriage is seen as a way to protect family honor, particularly around controlling girls' sexuality. Families fear social stigma if a girl remains unmarried past a certain age or if she is perceived as “unprotected” (Girls Not Brides, 2019).

The concept of family honor is closely tied to girls' behavior and marriageability. Parents may marry daughters early to prevent “shame” that might arise from premarital relationships or harassment. In conservative communities, a girl's marriage is also a reflection of the family's reputation, so early marriage is sometimes used as a safeguard against gossip and social disapproval.

Religious beliefs are often cited to justify early marriage, although interpretations vary widely. Many community members believe child marriage aligns with Islamic teachings or local customs, even though Islamic scholars have debated the permissibility of child marriage. This mix of religious and cultural

justification makes the practice more resistant to legal challenges (HRW, 2018).

Lack of Education and Awareness

Low literacy and limited access to education in rural KP also fuel child marriage. Without education, families may not fully understand the health risks and human rights implications of early marriage. Girls themselves often lack awareness of their rights or the possibility of alternative futures.

Schools are scarce in remote areas, and many families prioritize boys' education over girls'. This gender gap means girls miss out on knowledge and empowerment that could delay marriage. Education is proven to be one of the most effective tools in reducing child marriage globally, yet in KP's rural districts, this opportunity remains limited (UNICEF, 2021).

Social Pressure and Community Expectations

Community pressure is a strong force driving child marriage. Families fear social isolation or criticism if they do not conform to local marriage practices. Marrying daughters early is often seen as "normal" and expected. Parents may worry that waiting too long to marry off a daughter could reduce her chances of finding a good husband or increase the family's vulnerability to gossip and dishonor.

This peer pressure extends to girls themselves, who may accept early marriage as inevitable or desirable. In some cases, girls internalize community norms and do not resist marriage proposals, especially when they believe it will bring security or respect.

Institutional and Law Enforcement Challenges in Preventing Child Marriages in Rural Khyber Pakhtunkhwa

Preventing child marriage in rural Khyber Pakhtunkhwa (KP) is not only about having laws on paper. It requires effective enforcement of those laws by institutions such as the police, judiciary, and child protection agencies. Unfortunately, these institutions face numerous challenges that make enforcement difficult or even impossible in many cases. Understanding these institutional barriers is key to identifying solutions that can better protect children from early marriage.

Limited Capacity and Training of Law Enforcement

One of the main hurdles is the limited capacity of law enforcement agencies in rural KP. Police officers and local officials often lack training on the legal provisions related to child marriage and child rights more broadly. Many have little awareness of the social harms caused by child marriage or the importance of preventing it. As a result, they may not prioritize investigating or prosecuting child marriage cases.

Moreover, rural police departments are usually understaffed and under-resourced. Officers often have to cover large geographic areas with limited transportation and communication facilities, making it difficult to respond promptly to child marriage cases, especially in remote villages. Without adequate training and resources, law enforcement agencies struggle to monitor communities and intervene when child marriages are planned or conducted.

Influence of Jirgas and Informal Justice Systems

In rural KP, local jirgas — traditional councils of elders — hold considerable social and political power. These jirgas act as informal justice systems, settling disputes and making decisions on a wide range of matters, including marriage arrangements. While jirgas are meant to serve their communities, they often perpetuate harmful customs like child marriage.

Jirgas may order child marriages as part of dispute settlements, especially through practices like "Vani" or "Swara," which are widely condemned but still prevalent. Because jirgas operate outside of formal state law, their decisions often override national laws that prohibit child marriage. The social pressure to follow jirga rulings can be immense, and families rarely challenge these decisions.

Law enforcement agencies face a difficult dilemma when trying to intervene in jirga decisions. Challenging jirgas risks backlash and even violence against police officers or social workers. In many cases, local authorities prefer to avoid confrontation and allow jirgas to operate unchecked, effectively enabling child marriages to continue.

Corruption and Political Interference

Corruption within law enforcement and judicial systems further weakens efforts to prevent child marriages. In some cases, local officials may be bribed to ignore child marriage cases or delay investigations. Powerful families and tribal leaders can exert political influence over police and courts, protecting their interests and shielding offenders.

Political interference also discourages officials from acting on child marriage complaints. When influential community figures support early marriage, law enforcement personnel may hesitate to intervene out of fear for their safety or job security. This lack of independence undermines the rule of law and allows child marriage to persist with impunity.

Fear and Stigma Discourage Reporting

Even when laws exist and enforcement agencies are willing, many cases of child marriage remain hidden due to fear and stigma. Victims, families, and neighbors often do not report planned or ongoing child marriages to authorities because they worry about social backlash, shame, or retaliation.

Girls forced into early marriages may feel powerless to resist or seek help. They often lack awareness of their rights or fear the consequences of speaking out. Families may prefer to handle matters privately rather than involve the state, especially in tight-knit rural communities where reputation and honor are paramount.

This culture of silence makes it difficult for law enforcement to detect child marriage cases proactively. Without complaints or reports, officials have limited opportunities to intervene.

Judicial System Challenges

The judiciary in KP also faces challenges in addressing child marriage. Courts may be reluctant to hear cases involving child marriage, particularly in rural areas where social norms favor early marriage. Judges and magistrates may lack training on child protection laws and child rights.

Legal proceedings related to child marriage can be slow and complicated. Victims and their families often cannot afford legal representation or travel to courts. The burden of proof is high, and the lack of official marriage registration often means there is no clear evidence that a marriage has taken place.

These factors discourage many from pursuing legal remedies, and cases that do reach court frequently end in acquittals or dismissals.

Lack of Child Protection Mechanisms

KP's rural areas lack robust child protection systems. There are few dedicated child welfare departments or social workers trained to identify and support at-risk children. Without these specialized services, children vulnerable to early marriage often have no safe space to seek help.

Government-run support centers, counseling, and shelters for victims of forced marriage or abuse are rare in rural KP. This lack of protective infrastructure leaves children isolated and without recourse.

Inadequate Monitoring and Data Collection

Effective enforcement requires accurate data and monitoring. However, KP suffers from inadequate systems to collect and analyze data on child marriage. Many early marriages go unrecorded because they are informal or take place without official registration.

Without reliable data, policymakers and law enforcement lack clear information about where child

marriage is most prevalent, making it harder to target interventions. The absence of monitoring systems also means that violations of child marriage laws can go unnoticed for long periods.

Impact of Child Marriage on Girls and Communities

Child marriage is not just a legal or cultural issue; it deeply affects the lives of girls, their families, and the broader community. In rural Khyber Pakhtunkhwa (KP), the consequences of early marriage are especially severe, touching on health, education, economic opportunity, and social wellbeing.

Health Risks and Complications

One of the most immediate and serious impacts of child marriage is on the health of young girls. Early marriage usually leads to early pregnancy, which can be life-threatening for girls whose bodies are not yet fully developed. Complications during pregnancy and childbirth are among the leading causes of death for girls aged 15 to 19 worldwide (WHO, 2021).

In KP, where healthcare access is limited, these risks are even higher. Child brides often face malnutrition, anemia, and obstetric fistula due to early and repeated pregnancies. Additionally, girls married young are more vulnerable to domestic violence and sexually transmitted infections because they often lack the power to negotiate safe sexual practices (HRW, 2018).

The psychological impact is also profound. Many child brides suffer from depression, anxiety, and trauma related to forced marriage, early motherhood, and isolation from peers. Mental health services are scarce in rural KP, leaving these girls without adequate support.

Disruption to Education and Personal Development

Child marriage almost always means the end of a girl's education. Once married, girls are expected to take on household duties and child-rearing responsibilities, which leave little time or opportunity for schooling. In rural KP, this dropout is often permanent, as married girls rarely return to school.

The loss of education limits girls' future job prospects and economic independence. Without schooling, girls are trapped in cycles of poverty and dependence on their husbands or in-laws. Education is a proven factor in delaying marriage and improving women's status; its absence perpetuates gender inequality (UNICEF, 2021).

Economic Consequences for Families and Communities

While families may view child marriage as a way to reduce immediate economic burdens, the long-term economic effects are damaging. Girls who marry early often become mothers at a young age and are unable to participate in the workforce. This limits their contribution to household income and community development.

Communities with high rates of child marriage tend to have lower overall levels of education and economic growth. The loss of human capital, especially women's potential, holds back social progress and reinforces poverty cycles (UNFPA, 2019).

Intergenerational Impact

Child marriage affects not only the girls but also their children and future generations. Children born to young mothers face higher risks of low birth weight, malnutrition, and mortality. They are also more likely to experience interrupted education and limited economic opportunity, continuing the cycle of disadvantage.

These intergenerational effects mean that child marriage is not only a personal tragedy but a community development issue that affects social stability and wellbeing.

Social and Gender Inequality

Child marriage reinforces traditional gender roles that limit girls' freedom and decision-making power.

Married girls in rural KP often have little say in their lives, including decisions about healthcare, family size, or education for their children.

This disempowerment perpetuates broader patterns of gender inequality and restricts women's participation in public life, decision-making, and leadership roles. Ending child marriage is therefore critical to advancing gender equality and empowering women and girls in KP and across Pakistan.

Government and NGO Efforts to Combat Child Marriage in Rural Khyber Pakhtunkhwa

Recognizing the harm caused by child marriage, both the government of Pakistan and numerous non-governmental organizations (NGOs) have launched initiatives aimed at reducing the practice. While progress has been made in some areas, the challenge remains immense, especially in rural Khyber Pakhtunkhwa (KP), where traditional beliefs and economic hardship still drive early marriage.

Government Initiatives

At the federal level, Pakistan has committed to ending child marriage by aligning its laws and policies with international standards, including the Sustainable Development Goals (SDGs) which aim to eliminate child marriage by 2030. However, implementation on the ground has been uneven.

In KP, government efforts include raising awareness about the risks of child marriage through public campaigns, especially in schools and community centers. The provincial health and social welfare departments have worked to educate families about the dangers of early marriage and early pregnancy, emphasizing the importance of girls' education and health (UNFPA, 2019).

Moreover, KP's government has started collaborating with international agencies to develop child protection frameworks and improve data collection on child marriage cases. These frameworks aim to create better reporting mechanisms and coordination between police, judiciary, and social services.

However, the provincial government faces challenges due to limited resources and political complexities. The absence of a specific provincial law criminalizing child marriage in KP undermines enforcement efforts, creating legal ambiguity and reducing accountability. Without clear laws and strict penalties, many perpetrators feel they can act with impunity.

Role of NGOs and Civil Society

Non-governmental organizations play a crucial role in combating child marriage in rural KP, often filling gaps left by government programs. Organizations like Girls Not Brides Pakistan, Sahil, and War Against Child Abuse (WACA) work tirelessly to raise awareness, advocate for legal reforms, and provide support services for victims.

NGOs conduct community outreach programs that engage local leaders, parents, and youth in dialogue about the harms of child marriage and the benefits of delaying marriage. By using culturally sensitive approaches, they aim to shift social norms gradually.

Many NGOs also focus on empowering girls through education, life skills training, and creating safe spaces where girls can learn about their rights. These efforts help girls resist early marriage pressures and build confidence to advocate for themselves.

Some NGOs provide legal aid to families and victims to help them navigate the justice system. They also train law enforcement officials and judicial officers on child rights, improving the capacity of these institutions to respond effectively.

Success Stories and Limitations

There have been notable successes from combined government and NGO efforts. In some districts of KP, increased awareness has led to community pledges to end child marriage, and a rise in girls staying in school longer. Pilot programs providing cash incentives to families for delaying daughters' marriages

have shown promise.

Still, challenges remain. Deeply rooted cultural norms, lack of consistent funding, and resistance from conservative groups limit the scale and sustainability of interventions. Many programs operate only in select districts and struggle to reach remote, marginalized communities where child marriage is most prevalent.

Furthermore, coordination between government departments and NGOs is often weak. Without strong partnerships and shared goals, efforts can be fragmented, reducing overall impact.

International Support and Partnerships

International organizations such as UNICEF, UNFPA, and USAID have supported Pakistan and KP through funding, technical assistance, and advocacy. These partnerships aim to strengthen laws, improve monitoring, and expand community-based programs.

Global frameworks emphasize multisectoral approaches — combining legal reform, education, health, and community engagement — which are essential to address the complex causes of child marriage.

Recommendations for Improving Law Enforcement and Prevention of Child Marriage in Rural Khyber Pakhtunkhwa

Addressing child marriage in rural Khyber Pakhtunkhwa (KP) requires a comprehensive and sustained approach that tackles the root causes, strengthens institutions, and transforms social norms. Based on the challenges discussed earlier, the following recommendations can guide policymakers, law enforcement, and community leaders in their efforts to protect children and end early marriage.

1. Legislative Reform and Policy Implementation

A critical first step is enacting and enforcing a clear provincial law in KP that sets the minimum age of marriage at 18 for both boys and girls, consistent with international standards. This law should include strict penalties for those who facilitate or conduct child marriages, whether through formal or informal ceremonies.

Legal reforms must be accompanied by effective implementation. Authorities should ensure that child marriage laws are integrated into broader child protection policies and that all relevant government departments coordinate their efforts.

2. Capacity Building and Training for Law Enforcement and Judiciary

Police officers, prosecutors, judges, and other officials in KP should receive specialized training on child rights, the harms of child marriage, and the relevant legal frameworks. This training will equip them to identify child marriage cases, respond sensitively to victims, and prosecute offenders effectively.

Establishing dedicated child protection units within police departments and courts can improve case management and create safer environments for victims and witnesses.

3. Strengthening Community Engagement and Social Norms Change

Legal measures alone cannot end child marriage without changing the social attitudes that support it. Community-based programs should involve parents, religious leaders, tribal elders, and youth in dialogue to challenge harmful traditions and promote the value of girls' education and delayed marriage.

Culturally sensitive awareness campaigns can dispel myths about child marriage and emphasize the health, educational, and economic benefits of keeping girls in school longer.

Working closely with jirgas to discourage practices like “Vani” and encouraging alternative, peaceful dispute resolution methods is vital. This requires building trust and showing respect for community leaders while firmly advocating for children's rights.

4. Expanding Access to Education and Economic Opportunities for Girls

Improving access to quality education in rural KP is one of the most effective ways to prevent child marriage. Governments and NGOs should invest in building schools, providing scholarships, and reducing barriers such as transportation and safety concerns.

Programs that offer vocational training and economic opportunities for adolescent girls and young women empower them to envision futures beyond early marriage and motherhood.

5. Establishing and Strengthening Child Protection Systems

KP needs robust child protection mechanisms that can identify, support, and protect children at risk of early marriage. This includes social workers, child welfare officers, and safe shelters for girls fleeing forced marriages.

Helplines and reporting systems should be accessible, confidential, and responsive to encourage victims and community members to report violations without fear of stigma or retaliation.

6. Improving Data Collection and Monitoring

Reliable data is essential for understanding the scale of child marriage and evaluating interventions. KP should develop systems to register all marriages officially and track child marriage cases systematically.

Regular monitoring and evaluation of programs can identify successes and gaps, guiding better allocation of resources and policy adjustments.

7. Enhancing Collaboration Between Stakeholders

Ending child marriage requires a multisectoral approach. Government departments (health, education, law enforcement), NGOs, international partners, and community groups must collaborate closely.

Coordination mechanisms, joint action plans, and shared accountability can amplify the impact of individual efforts and create a united front against child marriage.

Conclusion

Child marriage in rural Khyber Pakhtunkhwa is a complex issue rooted in social, economic, and institutional factors. While laws exist, weak enforcement and deep-seated cultural practices allow the problem to persist. To protect girls and communities, KP must strengthen its legal framework, build capacity within law enforcement, engage communities to shift harmful norms, and expand education and protection services.

By implementing these recommendations, KP can move closer to fulfilling its commitment to end child marriage, improving the health, education, and wellbeing of its young generation. The future of countless girls depends on collective action, determination, and respect for their rights.

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