

POLICY RECOMMENDATIONS TO END CHILD MARRIAGE IN TAMIL NADU

August 2022

Summary Report of Research Study



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This research report was written by Dr. Vidyasagar Ramamurthy, former Child Protection Specialist, UNICEF, currently an independent consultant and researcher. He is a subject matter expert in Child Protection and the principal investigator of this study. Children Believe extends its sincere thanks to Dr. Vidyasagar for undertaking this highly commendable research study.

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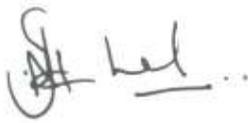
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FOREWORD

The Research study on evolving a policy strategy for addressing the issue of child marriage in Tamil Nadu was initiated by Children Believe in partnership with 11 civil society organizations. Rural and urban areas covering 12 districts were selected based on NFHS-4 data on reported marriages of girls below 18 years. The objective of the study was to analyze and enumerate major determinants of marriages of adolescent girls in the state.

Primary data was gathered through structured interviews, focus group discussions (FGDs) and key informant interviews (KIIs). Secondary data sources included Children Believe's strategic and planning documents, annual impact monitoring reports as well as other relevant documents from government and private sources including the National Family Health Survey (NFHS-4).

The analysis as well as interactions with grassroots workers and government officials during this study has suggested a list of recommendations to assist the state as well as district administration for a fresh and appropriate policy so that the state of Tamil Nadu could achieve the first zero child marriage status in India.



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I—INTRODUCTION

Tamil Nadu, being a state pioneering in addressing social inequalities, has been witnessing better social development outcomes owing to the the social justice orientation in the state’s governance. As a result, to a great extent, the old and rigid social norms are currently replaced by new ones and thus, girls’ education has gained paramount importance. Recent developments in communication systems provide advanced information and knowledge for women empowerment.

Drafting intervention strategies must precede consultations with people in the constituencies where child marriage incidence is high.

The state has also seen rapid progress in other areas such as child development, education, urbanization, industrialization, infrastructure and transport

facilities. Despite these positive trends, Tamil Nadu has seen a significant number of reported child marriages and subsequent legal interventions in many cases.

So far, several government legislations, policies and programs have failed to wipe out child marriage practice in the state completely because there are many associated challenges in certain pockets. Given this context, the existing strategies need to be reviewed and the gaps have to be addressed appropriately.

Primarily in the past, while exploring the root causes of the issue and drafting strategies, there had been limited consultations with people in these high-incidence constituencies. Unless consultations at the grassroots happens through community participation to elicit their views and aspirations, it is next to impossible for realizing the dream of Tamil Nadu becoming a zero child marriage state.



There are many social challenges associated with child marriage in some areas in Tamil Nadu.

PHOTO BY: CHILDREN BELIEVE

II — METHODOLOGY

The study design categorized districts into high, medium and low incidence of child marriage. The National Family Health Survey (NFHS-4) data was employed as a reference.

Based on the incidence of child marriage as per the available data based on the NFHS-4 estimates, as NFHS-5 data for Tamil Nadu was not yet public, 12 districts in Tamil Nadu representing North, South, East, West and Central regions were shortlisted. (The selected districts are shown in Table 1).

For a deeper understanding regarding the major reasons of child marriage, respondents were

chosen from rural as well as urban settings, to gather opinions and perceptions. This sample included parents, children, community members and government representatives. The study also aimed at drafting a new strategy by ensuring community participation to end child marriage.

Sample Categories: Considering this heterogeneity in districts, the study identified the following categories of people and interviewed participants and held structured interviews in each of the selected districts:

TABLE 1: DISTRICT-WISE PREVALENCE OF CHILD MARRIAGE WITH URBAN-RURAL CLASSIFICATION (%)

Prevalence	Urban	Rural
High	Erode (22.8) Theni (34.8)	Virudhunagar (30.3) Thiruvallur (33.1)
Moderate	Chennai (12.8) Tiruchirappalli (19.7)	Ramanathapuram (18.8) Thiruvannamalai (22)
Low	Kanyakumari (5.2) Salem (9.6)	Nagapattinam (8.2) Tirunelveli (7.8)



MAP 1: TAMIL NADU INDICATING THE SELECTED DISTRICTS FOR THE SURVEY

TABLE 2: SURVEY RESPONDENT CATEGORIES AND SAMPLE SIZE

Respondent Category	Sample Planned	Actual Sample
• Adolescent girls who were married in the age group 13-18	60	42
• Unmarried adolescent girls in the age group 13-18	60	69
• Women who are currently in the age group of 20-24 who were married before 18	120	115
• Women who are currently in the age group 20-24 who were married at or after the legal age for marriage	60	89
• Below 18 girls whose marriage was stopped through legal intervention	60	60
• Parents whose girls were married off below the legal age of marriage	60	54
• Fathers whose girls were married off past the legal age of marriage	60	52
• Mothers whose girls were married off past the legal age of marriage	60	70
• Men in general on their perception about early marriage (for girls)	60	64
TOTAL	600	615

III — MAJOR FINDINGS

DEMOGRAPHIC PROFILE

Rural/Urban: The study interviewed 615 respondents of which 305 (about 50%) were from urban and semi urban areas with rural characteristics. Over 80% of the population were classified as urban in official records. The remaining respondents were from rural areas.

Gender: Women constituted about 80% of the respondents and the rest were males.

Age at first delivery: Among the categories of married girls who were married in the age group of 13-18, 31% had already delivered their first child. Of the women who were married before 18 years (who are now at the time of this study) in the age group of 20-24, 40% had their first child when they were between 16 and 18. Of this, two percent had their first child before the age of 15. The third category of respondents were the parents whose daughters were married off before the legal age of 18. Of this, 33% of the daughters had their first child before they reached 18 years.

Social Profile: In almost all the categories, Scheduled Caste (SC) community households tops the list with 39% of the respondents, followed by Scheduled Tribe (ST) respondents with 11%, Most Backward Caste (MBC) 24%, and Backward Caste (BC) 20%. The percentage is negligible in the Other Backward Caste (OBC) groups and the Forward Caste (FC) groups. Of the total, three percent refused to respond to this question on caste. Most of the respondents who conducted child marriages belonged to the SC (80.93%), followed by MBC (44.87%). Data also revealed that if there are more than one girl child in any family and if they remain poor, it is likely that they marry their girls early. In 55% of the families of category of parents who have married their girls below 18 years had more than 2 girls and up to 4 girls in the family.

Education: Only 9% of all the respondents were illiterates, while 32% have gone up to middle school level, and 91% are literates. In the category of unmarried girls below 18 age group, 23% are graduates. Most of the girls who were married below 18 have also gone up to 9th or 10th standard.

Among the 212 respondents (34.5%) who are married adolescent girls, for whom marriage is legally stopped and parents who have married their girls below the legal age, most cited reason is uncertain family income and less expensive on dowry if married early, and there are more girl children in the family and to marry them early.

In the context of urban areas (mainly poor people settlements/slums) it is reported that teasing and blackmailing by men and boys force early marriage on girls (this is happening more in Chennai).

In tribal areas, the major reason is the social custom to marry girls early. While these are the major drivers for early marriage, there are also other minor reasons cited by the many respondents such as;

The study revealed that early marriage is prevalent among low-income families having more than one girl child.

parents afraid of children falling in love, less expense on marriage during the lock down, girls not able to access schools due to lack of transport facilities and hence marriage, cannot afford the expenses of schooling, girls going to work and hence marriage, government schemes for girl children are not reaching them, parents can't provide care for girls all the time as they are busy with work and in a very few cases, pressure from families, religious leaders and community lead girls to marry early.

SUMMARY OF RESPONSES:

Type of marriage: Among the respondents, 48% who are married before the legal age of marriage had love marriage, followed by arranged marriage (45%) and forced marriage (seven percent).

Only in tribal areas, this is part of their age-old custom and tradition. In general, though the custom is declining in the state, it is not eradicated among the socially marginalized population circles.

Education: Education of the parents interviewed also did not show any significance in early marriage decisions.

Perception of why child marriage by those who are against girl child marriage: While family economic situation was cited as the primary driver, the next reason was the parents' fear of girls eloping with someone they love especially with other caste men. Other reasons include the number of girl children in the family, ignorance of negative factors related to child marriage, the traditional attitude of marrying off girls early, and a preference to marry cousins (consanguineous marriage) to maintain family security.

The weak government mechanism, cultural norms, girls' reluctance to pursue studies, and parents' inability to spend on their girls' education were other reasons.

In contrast to the major drivers mentioned above, the reasons quoted by the parents were: a) Children falling in love with disapproved suitors, b) less expenses during lockdown, c) lack of transport to access schools, d) ever increasing school expenses, e) girls going to work after marriage, f) inaccessibility of government schemes for girl children, g) parents finding it difficult to feed all in the family and hence neglecting them, and h) in a few cases pressure from families in the community and religious leaders to marry girls early.

Awareness about social protection schemes¹:

Among the people interviewed, 68% had awareness about the government social protection schemes. The remaining respondents were totally ignorant about such schemes. Though awareness was observed more among the child marriage victims, most of them couldn't access these benefits. There was a general complaint that the government schemes did not reach certain pockets.

While a majority of respondents were aware of the legal implications, gender stereotypes played a role resulting in early marriage among girls in Tamil Nadu.

Awareness about Prohibition of Child Marriage (PCM) Act, 2006²:

Among those who were married before 18 years were aware of PCMA and remaining 22% were not aware of PCMA.

Gender norms: The entrenched gender inequality is considered most often as the factor for child marriage, making girls disproportionately affected by such practice. The data analysis on the statements unveil the strong beliefs that 'women are born to be housewives and mothers,

Similarly, for their roles, there is only 48% in agreement, however, further data is required to understand how they translate such in practice to enable them move beyond four walls, pursue strategic roles and share power relations. More girls in a family, dowry and insecurity have also been quoted as reasons.

Though economic factors play a role in child marriage, boys have not been affected much, but only girls. The data presents the role of intersectionality as majority of the child marriage is prevalent among excluded sections. This encapsulates the need for addressing such deep rooted issue.

1 Government of Tamil Nadu, under the Social Welfare and Women Empowerment Department has several schemes for the benefit of women and children. <https://chennai.nic.in/departments/social-welfare-sw/#17>.

2 The Prohibition of Child Marriage Act, 2006 enacted by the Indian Parliament defines a "child" as a person who, if a male, has not completed 21 years of age, and if a female, has not completed 18 years of age.

Number of girls in a family, dowry and insecurity were also quoted as predominant reasons for child marriage. The data also presented the role of caste-based divisions as a majority of child marriages are happening among the marginalized sections of the society. This sums up the need for addressing such a deep-rooted caste issue with utmost priority.

Evidently, there is a positive attitude among the survey participants to stop early marriage in their communities. Government must capitalize

on this trend and improve access for girls to continue secondary school education. Proactive measures such as proper education by the district administration as well as the civil society organizations can produce positive outcomes.

Therefore, a new policy framework and strategy is necessary to eliminate child marriage. Any strategy should also include full participation of the people for whom it is meant.

IV — POLICY RECOMMENDATIONS

Based on the findings of this survey, we present the following recommendations:

Mapping of high incidence areas: Elimination of early marriage needs certain focused attention. As a first step, it is necessary to map the areas where the problem is significant to intervene in a focused way.

Mapping could be done on the basis of area-wise data that is already available from Childline on child marriage cases including those stopped, data on teenage pregnancy from health department, number of school dropouts in high and higher secondary schools particularly girls from the school education department and based on the data and experience that is available with officials in the districts.

An analysis of these data will help to map and identify hotspots of incidences of child marriage in each

block of a district and pay more attention in those areas. This could be done by the district officials with the help of CSOs that are close to the grassroots.

Data on teenage pregnancy is with the higher secondary school education department. Triangulation of these data along with the anecdotal evidence from the district officials will help identify the hot spots on a block level in each district in a mapping exercise.

Depending on the intensity of the issue, interventions could be designed to suit the local conditions.

Prepare a Standard Operating Procedures document (SOP): At present, there is poor



School dropouts are more vulnerable to early marriage due to insecure environments
PHOTO BY: CHILDREN BELIEVE

convergence and coordination among various departments involved in preventing child marriages. To strengthen convergence between all concerned departments, it is significant to develop a standard operating procedure (SOP) that clearly defines a set of step-by-step instructions to help each and every official involved in stopping/preventing child marriages from village level to district level to achieve efficiency and effectiveness in action.

This will enable officials to know who should be informed at what level and when with an understanding of their responsibilities and accountability.

Community participation: Under the Tamil Nadu State Child Protection Society (TNSCPS), the government has initiated the Integrated Child Protection Scheme (ICPS)³ for creating safe environments at the community or village level. The Village Child Protection Committees must monitor atrocities against children including early marriage of girl children. However, such committees are either not formed or are inactive currently in both urban and rural settings. Priority should be given to activate these committees and the stakeholders at the grassroots must enforce an accountability mechanism.

In each village, this committee could track the progress of children, especially girls with the help of schools by enrolling all the children in the 10-18 age group. Concurrently, people groups such as women self-help groups (SHGs), youth, adolescents, school management committees, and Parent-Teacher Associations have to be sensitized and mobilized to work consistently for ending child marriage.

Recognition and acknowledgement must be given to those who take an active role in this social transformation. A community can be child-marriage free only if the elected members of the Panchayati Raj Institutions (PRIs) are adequately trained on the issue of child marriage and its prevention.

Each panchayat/urban ward must work out **an action plan to make the place child-marriage-free** in a given time. These plans have to be locally driven so

that all stakeholders will own it and act with courage.

Social Protection: The government has already adopted girl protection schemes long ago under the Ministry of Women and Child Development. The active functionality of these schemes have to be reviewed from the gender lens and propose revisions wherever necessary.

For example, there is a wide gap in gender-based income levels in local establishments. Local committees should monitor the proper administration of schemes so that the benefits will reach the right persons. Proper management will enable access to these schemes and this in turn will create an enabling environment to stop child marriage.

Creating awareness about the existing schemes requires additional priority. For example, a recent study showed that 32% of adolescent girls are unaware of the schemes meant for them.

In general, girls in economically backward areas live in insecure environments. When girls have to travel long distances to access schools, parents feel that marriage will give them security to a certain extent.

Secondary Education: Tamil Nadu is a state where there is a good progress in secondary education compared to many other states in India. The state has made considerable progress towards making secondary education universal. However, the dropout rates are relatively high during secondary education especially among the sections who are socially and economically lagging.

The education and child marriage are related in two ways. While child marriage is an important factor for girls dropping out of schools, it is also true that the girls who are out school are subjected to child marriage. As many girls from the downtrodden

3 *Integrated Child Protection Scheme (ICPS) is sponsored by the Ministry of Women and Child Development of Government of India. and managed by the Tamil Nadu State Child Protection Society (TNSCPS)*

sections are living in insecure environments (example Chennai slums/slum clearance area), parents often feel that that marrying their daughters will protect from harm.

Gender norms play an important role and it has to be taken into account for ensuring that all girls complete secondary education. A recent analysis by Save the Children has stated that 50 million child marriages could be prevented by 2030 if all the girls around the world finished secondary school. In India, 26.8% girl children marry before they reach 18, according to the National Family Health Survey (NFHS 4) data. Thus, it is important to **make all children complete their secondary education.**

Based on the present study by Children Believe and our focus group discussions, here are a few causative factors that impede girl children attending school education.

Existing Government Child Protection schemes must provide alternatives to vulnerable families so that people will realize evils of child marriage. School management and teachers must be encouraged to identify dropouts and provide necessary back-up mechanisms.

1. For girls staying far away from secondary schools, there is no transportation to commute from home to school. Parents are afraid to send their girl children to schools in distant places. As a remedial measure, special **transport facility** has to be arranged. Another solution for easy access is to upgrade middle schools in such areas wherever possible.
2. Lack of functional **toilet facilities** at schools dissuade girl children from going to school. Authorities must inspect schools for this lapse and make necessary improvements.
3. Provision of **hostel facilities** also help girls to avoid pressures from family and community and thus avoid early marriage.

4. In Tamil Nadu, the textile factory belt offers work for adolescent children and many drop out from schools to join the labor force. Adolescent children between the ages 14 and 18 are permitted to work in non-hazardous occupations under the Child Labor (Prohibition and Regulation) Act. The state government must take this into cognizance and take a pioneering step to **make secondary education compulsory** for all adolescents, especially girls.
5. School management and teachers should be encouraged to identify vulnerable girl drop-outs and **provide necessary counseling** to prevent early marriage.
6. The district authorities must ensure education and rehabilitation of girls whose marriages are stopped. A visible safe back-up mechanism will motivate many parents to delay their girls' marriage.

Effective prevention of child marriage happens when people realize the harmful consequences of child marriage and provide alternatives to such vulnerable families through existing **Child Protection schemes** of the government.

Role of children in preventing child marriage: Our study findings show that a considerable number of cases are self-initiated by young girls (and boys) with or without their parents' consent. The focus group discussions show that this is a very prevalent phenomenon.

The participants of the study have blamed mobile phones as one of the causative factors leading to self-initiated marriages. In recent years, there is increased interaction between girls and boys. Parents of young girls mentioned this as a reason for deciding early marriage for their daughters.

Further discussion explained that the adolescent children have no one in the role of a parent to share their problems, especially in nuclear families. This is true in the school environment also.

Most decisions are based on emotional impulses. Generally, at this age, emotions such as infatuation, admiration and love are rather natural. The need for proper guidance through life skills education

supplemented by individual counseling and psycho-social support to school children cannot be overemphasized.

Children's groups engaging in participatory discussions at schools as well as in every community could be a successful strategy for creating awareness on the negative consequences of child marriage. This effort must be supported by sustained encouragement by the authorities. This will also promote children's creative and leadership abilities and the widening of their world views. They learn negotiating skills with peers and parents that will lead to better decision making.

Enhancing the value of girls underpins the effective alleviation of social injustice. Education and economic independence play a critical role in delaying marriage and creating change in one generation⁴.

Law Enforcement: While the Prohibition of Child Marriage (PCM) Act is already implemented in Tamil Nadu, a new law for compulsory registration of all marriages could be added. Hindu Religious and Charitable Endowments Department of the Government of Tamil Nadu (HRCE) could issue a government order (G.O.) for registering all marriages conducted in temples and thereby prevent child marriages.

Incorporating child marriage and child protection in the teacher-education curriculum and training

programs of Panchayati Raj System: The Panchayati Raj Institutions (PRIs) and schools can play a major role in the prevention of child marriages at the grassroots level. Teacher education and training curriculum of Panchayati Raj system must include topics such as child protection, child marriage, forms of violence against children, etc. so that all newly recruited teachers and newly elected PRI members are well aware of their roles, responsibilities and accountability in stopping child marriage.

Drafting a new Child Marriage (Prohibition and Prevention) Act for Tamil Nadu: This is an essential action that needs to be done to make the state of Tamil Nadu free from child marriages. Similar to what the neighboring Karnataka state government did, a new law enforced by the legislature prohibiting child marriage will help to make the provisions for making the present one more relevant contextually and culturally. Concurrently, the ineffective rules may be amended and implemented immediately, not waiting for a fresh law which may be drafted subsequently.

Bringing Child Marriage under one department: Currently, child marriage issue and the implementation of PCMA are under the Directorate of Social Welfare. But the implementation of the Child Protection Scheme (CPS) is under the Directorate of Social Defence. At the district level, Child Marriage Prohibition Officer is the District Social Welfare Officer but the implementation of CPS is under the District Child Protection Unit. Bringing the implementation of PCMA under the Directorate of Social Defence will help effective implementation of the Act and enable better coordination between various departments at all levels.

⁴ *Ending Child Marriage: A profile of progress in India - A report by UNICEF, February 2019*
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Children Believe works globally to empower children to dream fearlessly, stand up for what they believe in — and be heard. For 60+ years, we've brought together brave young dreamers, caring supporters and partners, and unabashed idealists. Together, we're driven by a common belief: creating access to education — inside and outside of classrooms — is the most powerful tool children can use to change their world.

Children Believe is a member of ChildFund Alliance, a global network of 12 child-focused development organizations working to create opportunities for children and youth, their families and communities. ChildFund helps nearly 23-million children and their families in more than 70 countries overcome poverty and underlying conditions that prevent children from achieving their full potential. We work to end violence against children; provide expertise in emergencies and disasters to ease the harmful impact on children and their communities; and engage children and youth to create lasting change and elevate their voices in decisions that affect their lives.

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