

CHILD, EARLY AND FORCED MARRIAGE AND UNIONS IN LATIN AMERICA AND THE CARIBBEAN



PICTURED: Melody joined the work of Levantemos three years ago, when she was 12 years old. Photo: *Girls Not Brides/James Rodríguez*

Child, early and forced marriage and unions (CEFMU) is a global problem which transcends regions, cultures and religions. It is still not recognised as a significant issue in Latin America and the Caribbean (LAC), despite three of the world's worst-affected countries being located there (the Dominican Republic, Brazil

and Mexico). LAC is also the only region in the world where prevalence rates have not dropped over the last 30 years.¹ A multi-sectoral response – based on human rights and centred on the needs of girls and adolescents – is needed to address this situation.

The problem: What do we know about CEFMU in LAC?

Note on terminology: In LAC, the often informal nature of early unions (characterised by cohabitation without legal registration) contrasts with more formal practices seen in other parts of the world. These informal unions – which are often entered into consensually – tend not to be understood as “marriage” or as existing between “children,” and a range of terms is therefore used to refer to them. These include “child marriage,” “early unions,” “informal unions” and “early marriage.”² This diversity of terms reduces the visibility of the problem and can silence discussion around it, by failing to recognise it as a violation of girls’ human rights.

In alignment with the organisations we work with in the region, *Girls Not Brides* uses the broad term “child, early and forced marriage and unions” to make all dimensions of the practice visible. In this brief, we use the term “in a union” to refer to girls who are either married or in a union. We use the term “girls” to refer to girls and adolescents.

Technical note: To talk about prevalence and absolute numbers of CEFMU, this brief uses Sustainable Development Goal (SDG) Indicator 5.3.1: Proportion of women aged 20-24 years who were married or in a union before age 18. All references to CEFMU prevalence and absolute numbers include both formalised marriage and informal unions.

Current status of CEFMU in LAC

- Overall, 25% of women aged between 20 and 24 in the region were in a union before the age of 18, including 4% before the age of 15.¹ Prevalence varies significantly between countries, from **8% in Jamaica to more than 30% in Suriname, the Dominican Republic, Nicaragua, Honduras and Belize**. The Dominican Republic and Suriname have the highest prevalence (36% in each country).
- The region is home to two of the countries with the highest absolute numbers of women in a union before the age of 18 (Brazil and Mexico rank 5th and 8th respectively). The Dominican Republic ranks 14th for unions before the age of 15, accounting for 12% of all women.¹
- There is a lack of up-to-date data on CEFMU for many countries in the region (especially in the Caribbean), so the true scale of the problem is likely underestimated.¹
- Informal unions (those without formal registration) are much more common than formalised marriages. In Bolivia, about four times as many girls aged 15 to 17 cohabit in informal unions than are legally married. **In Honduras, Colombia, Panama and Peru, less than 10% of girls aged 15 to 17 who are in a union are legally married.**³
- Girls in the region are more likely to be in a union if they **live in rural areas, come from poor homes and have less access to education.**³ In the Dominican Republic, women from rural areas in the poorest wealth quintile who only have a primary school education are four times more likely to be in a



PICTURED: Laura Marina, mentor in the Women's Rights Initiative, with her daughter Olga. Photo: *Girls Not Brides*/James Rodríguez

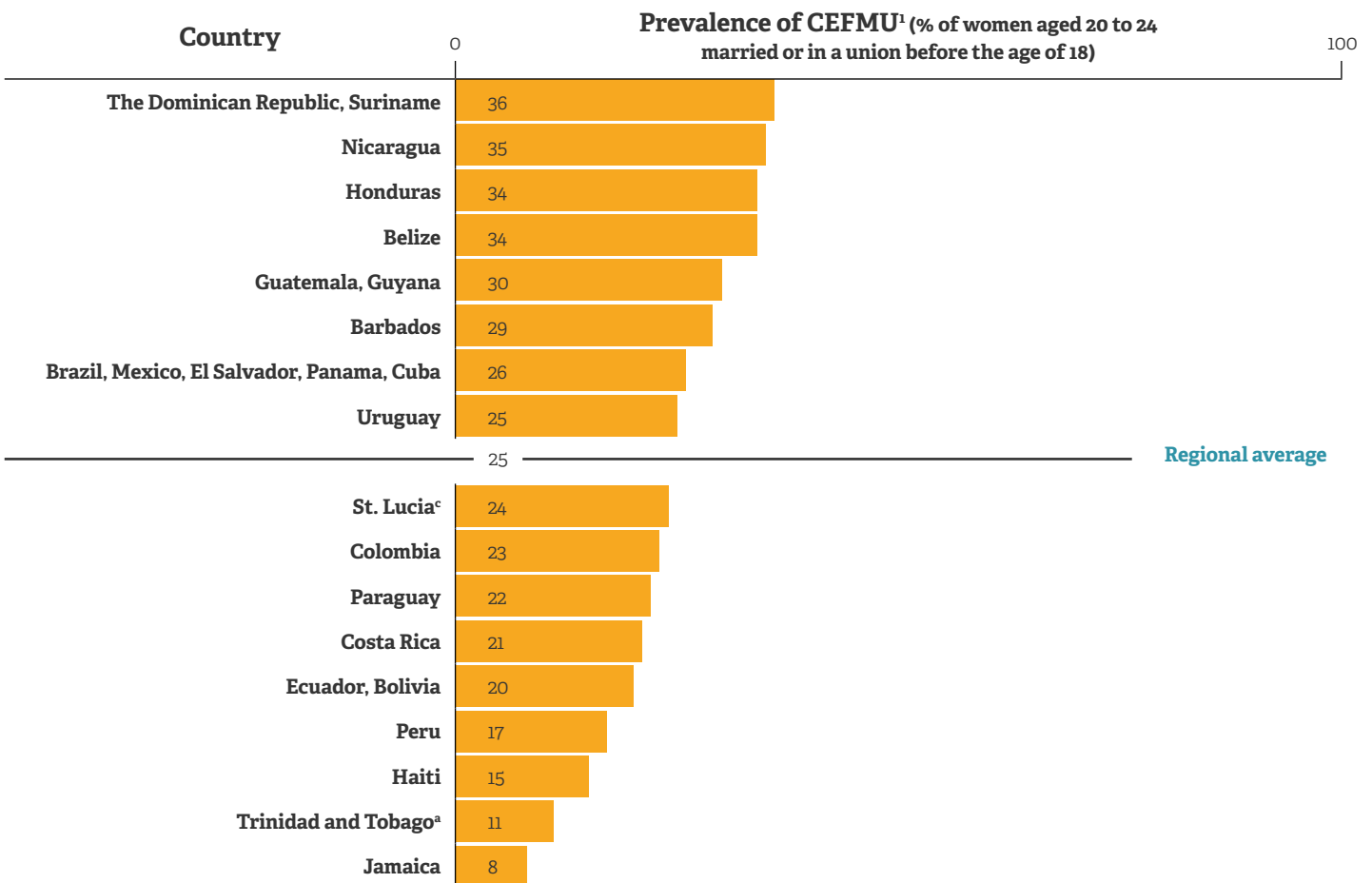
union before the age of 18 than women in urban areas from the richest quintile with a secondary education or higher (67% compared to 16%).

Nonetheless, CEFMU does exist in urban areas in all countries in the region.³

- There is growing evidence of the links between ethnicity and CEFMU. In countries such as Panama, Bolivia, Peru and Honduras, prevalence of CEFMU is higher among Indigenous^a and Afro-descendant^b communities.³
- The age difference between girls in a union and their partners varies, but across 23 countries more

than 30% of girls in a union are between four and nine years younger than their partners; in 20% of unions the age difference is more than 10 years.³

- LAC is the most unequal region in the world⁴ and national averages hide significant differences in prevalence within countries.
- CEFMU also affects men and boys, and countries in LAC are among those with the highest prevalence in the world. Out of the 10 countries in the region with relevant data, nine have prevalence higher than the global average (3%), and in Belize and Nicaragua around one in five men marry before the age of 18.



Country	Number of women aged 20-24 married or in union before age 18	Global ranking ⁵
Brazil	2,226,000	5 th
Mexico	1,420,000	8 th

^aIn this brief, we capitalise "Indigenous" in order to recognise that there are global, regional and national Indigenous rights movements. However, we also acknowledge that there is significant diversity amongst Indigenous peoples, and that they usually prefer to self-identify with their specific community name. Our aim is not to mask this diversity, but to draw on the strength of this identity to advocate for a differential approach to ending child marriage that takes ethnicity into account.

^bIn this brief, we use the term "Afro-descendent" to refer to people of African descent because it recognises the prevalence of "Afro-" as an ethnic identity in the LAC region.

^cPrevalence in these countries includes couples who do not live in the same household (social and sexual or visiting unions).



PICTURED: Deisy, Katerin and Tania, all 11 years old, participate in a workshop with Levantemos. Photo: *Girls Not Brides*/James Rodríguez

Principal causes of CEFMU in LAC

- CEFMU is rooted in **gender inequality** and discriminatory social norms that define the role of girls, adolescents, young people and women in the family, community and society. Gender norms define what girls can and cannot do, both before entering into a union and once they are in a relationship.²
 - **Many early unions are initiated by girls over the age of 15** because they see marriage as a way of leaving violent family environments or ones that **restrict their sexuality and mobility**.^{6,2} For them, marriage and motherhood may mean greater respect in society, as both are closely linked to ideas of what it means to be a woman. The idealisation of romantic love also means that girls see marriage as a way of giving significance to their lives, especially when they have few other options.⁷
 - Gender norms in LAC mean that girls are expected to **take on domestic tasks from a young age**. This includes cleaning, helping in the kitchen and caring for other members of the household. Dominican girls spend on average 3 to 7 hours a day on domestic chores, from which boys are free. This takes away from the time girls have for school and learning, and school dropout in turn leaves them vulnerable to CEFMU.² Meanwhile, adolescent boys and men may decide to marry because they want someone to help out in their parents' house, or to look after their parents when they get old.
- **Adolescent pregnancy, sexual abuse of minors and CEFMU are all closely related**, and are often both causes and consequences of each other.^{8,9,10} The region has some of the highest rates of adolescent pregnancy in the world.⁴
- **There is a lack of comprehensive sexuality education (CSE) in the region**. Only 13 of the 23 countries analysed by Mira que te Miro have a national CSE curriculum, and of those, only half adequately include discussion of gender, sexual rights and sexual diversity.¹¹
- In some countries, **adolescents have limited access to sexual and reproductive health services, including to contraception and safe abortion**.¹² This leads to high rates of unintended pregnancy and sexually transmitted infections, including HIV.
- In the event of unintended pregnancy, families sometimes pressure their daughters to marry in order to avoid the **social stigma associated with pregnancy outside of marriage**.²
- **Social and cultural norms related to masculinity** also push older men to enter into unions with adolescent girls. Recent studies from Brazil and Nicaragua show that men prefer younger girls because they consider them

⁴The adolescent fertility rate (the number of births per 1,000 adolescents aged 15 to 19) for LAC is 62/1,000. The global rate is 42/1,000. Data from UNFPA, 2018, **Estado de la Población Mundial 2018**

sexually desirable, as well as more malleable and easily influenced.^{13,6} In the Dominican Republic, “having sex with a girl under the age of 18 is a way for a man to validate his masculinity in the eyes of his community.”⁷² A recent study by UNFPA and FLACSO in Guatemala found that men pursue relationships with younger girls because they can become an authority figure in their lives. The same study also found that men with higher levels of education are more likely to form relationships with younger women and adolescents.¹⁴

- **Poverty** is one of the principal drivers of CEFMU in the region.¹⁵ A recent study in eight countries found that one of the key motivating factors for girls to enter into CEFMU is poverty in their family homes.² In Guatemala, 19% of girls aged 15 to 19 living in extreme poverty are mothers, compared to 10% of girls that do not live in poverty.¹⁶
- **Urban crime and violence** – including organised crime and street violence – increase the risk of girls being pushed into CEFMU. In El Salvador, Honduras and Brazil, girls often enter into unions with members of organised crime because of the perceived protection and economic security they offer.^{17,6} Girls and their families may have little choice, as refusing a proposed union may put their lives at risk.²
- In some countries, the prevalence of CEFMU is higher among Indigenous and Afro-descendant communities. This could be because these groups face multiple vulnerabilities and inequalities, including marginalisation, discrimination and poverty.¹⁸

Consequences of CEFMU

CEFMU helps perpetuate **cycles of poverty** and often has **physical, emotional and psychological consequences**.

- The majority of women who were in a union before the age of 18 also gave birth before this age, and 80% gave birth before the age of 20.³ Pregnancy during adolescence is associated with **increased health risks**, including obstetric fistula, higher rates of infant mortality and unsafe abortion.¹⁹



PICTURED: Ronald with his daughter Sandy.
Photo: *Girls Not Brides*/James Rodriguez.

- Pregnancy in girls under the age of 15 is associated with even greater risk^{20,21} and is often the result of sexual violence.^{22,23} Despite this, pregnant girls do not have access to safe abortion in many countries and may have to use unsafe methods or continue with an unwanted pregnancy. There is a lack of reliable data on sexual violence, but IPAS estimates that 16,521 girls aged 10 to 14 were raped in Mexico in 2015. The following year, Mexico **registered 11,808 births to girls in the same age range**.⁹
- Unwanted pregnancy also affects mental health. In El Salvador and Guatemala, there is emerging evidence that unwanted pregnancy due to lack of access to contraception, abortion and CSE is driving pregnant women and girls to suicide.^{24,25}
- Girls in a union are at greater risk of **sexually transmitted infections – including HIV** – than those who are not. They have less power to negotiate safe sex, especially if they are in a union with an older man with more sexual experience.^{26,27}
- Girls who marry before the age of 18 are more likely to experience **intimate partner violence**. This can be sexual, physical, psychological and emotional. Some countries in the region have high rates of

femicide^e – including intimate femicide (committed by a partner)²⁸ – and early union increases the risk.¹³ Many girls in the region report that their partners tried to limit their autonomy and mobility after entering into a union; some report being forced to prostitute themselves.² The bigger the age difference between a girl and her partner, the more likely she is to experience violence in the relationship.²⁹

- Adolescent pregnancy is a common cause of school dropout in the region.^{30,2} Dropout can be voluntary, linked to a girl's own changing priorities, or it can be the result of policies and practices that both explicitly or implicitly **ban girls who are pregnant, in a union, or already mothers from the classroom.**³¹ Girls may find it harder to gain economic independence due to their limited schooling and the childcare and other domestic duties expected of them.² In Guatemala, only 27% of women aged 20 to 24 who were in a union before the age of 18 had worked in the last month, compared to 61% of single women of the same age.³
- Pregnant girls and girls in a union are often **abandoned by their partners or potential partners.** The most common reason is the denial of paternity, either before or after entering into

a union. Economic migration to other countries is common in LAC and can lead many men to abandon their partners.² This leaves girls in a precarious economic position and means they have to raise their children as single mothers, with negative impacts for both. Due to the transitory nature of many informal unions, girls may find themselves repeating the same cycle throughout their lives.¹³

Legal and policy framework in LAC

It is **illegal** to get married before the age of 18 in most countries in LAC. However, laws often include exceptions for earlier marriage – usually at 16 or younger – with the permission of a parent or judge. Some countries (mostly in the Caribbean) also allow women to marry younger than men.^{32, 33, 34}

In LAC – unlike in other regions – marriage provides certain legal protections that guarantee rights related to property, food allowance and child support, as well as increased social status. Girls in informal unions may therefore experience more disadvantages and vulnerabilities than those who are formally married. In Mexico, **22.4% of married girls study, compared to only 9.5% of girls in an informal union.**³⁵

Weighted distribution of intimate partner violence by age of marriage/first union, among women aged 20 to 24 currently married or cohabiting²⁹

Country	Year of survey	N	Physical intimate partner violence in the last year (%), by age at first union				Sexual intimate partner violence in the last year(%), by age at first union				Physical or sexual intimate partner violence in the last year (%), by age at first union			
			<15	15-17	18+	Total	<15	15-17	18+	Total	<15	15-17	18+	Total
Colombia	2010	3582	40.4	35.9	25.2	30.2	8.2	3.9	2.7	3.7	41.9	36.3	25.4	30.6
The Dominican Republic	2007	1011	21	17.6	6.4	13.6	10.8	4.4	1.7	4.6	23.3	19.4	6.4	14.8
Haiti	2012	932	32.1	22	17.5	19.5	13	13.1	7.5	9.4	32.1	24.9	19.9	21.9
Honduras	2011	1802	13.2	13	10	11.6	4.8	3.1	1.9	2.7	14.4	14	10.5	12.3

^eAccording to the **WHO**, femicide is generally understood to involve the intentional murder of women because they are women. Broader definitions include any killing of women or girls, and is usually perpetrated by men.

Over the last four years, six countries have changed their laws to raise the minimum age of marriage: Costa Rica, Honduras, Ecuador, Panama, Mexico and Guatemala.^{37,38,39,40} However, as with other laws intended to protect women and girls – such as laws on violence against women – relevant stakeholders are not aware of recent legislative changes that prohibit CEFMU, and these are not applied systematically.

The issue has still not been recognised as a significant problem requiring attention at the national policy level and no country in the region has a national plan to prevent or respond to CEFMU. National plans to address violence against women do not include CEFMU and few countries' national adolescent pregnancy prevention programmes mention it as a relevant issue¹¹

Country	Minimum legal age of marriage ³⁶		Minimum legal age of marriage with exceptions ³⁵		Types of exceptions: ³⁵ P = Parental J = Judicial
	Women	Men	Women	Men	
Antigua and Barbuda*	18	18	15	15	P, J
Argentina	18	18	16	16	P, J
Bahamas	18	18	15	15	P
			13	13	J
Barbados	18	18	16	16	P, J
Belize	18	18	16	16	P, J
Bolivia	18	18	16	16	P, J
Brazil	18	18	16	16	P, J
Chile	18	18	16	16	P
Colombia	18	18	14	14	P
Costa Rica	18	18	18	18	None
Cuba	18	18	14	16	P, J
Dominica	18	18	16	16	P, J
Ecuador	18	18	18	18	None
El Salvador	18	18	18	18	None
Granada	18	18	16	16	P, J
Guatemala	18	18	18	18	None
Guyana	18	18	16 or less	16	P
			Below 16 (due to motherhood)	Below 16 (due to fatherhood)	J
Haiti	18	18	15	18	P
			Below 15	Below 18	President of the Republic
Honduras	21	21	18	18	None
Jamaica	18	18	16	16	P, J
Mexico	18	18	16	16	Varies by state
Nicaragua	18	18	16	16	P
Panama	18	18	18	18	None
Paraguay	18	18	16	16	P, J
Peru	18	18	16	16	P, J
The Dominican Republic *	18	18	15	16	P
Saint Kitts & Nevis **	18	18	-	-	P, J
St Lucia	18	18	16	16	P, J
St Vincent and the Grenadines	18	18	15	16	P, J
Suriname	18	18	No minimum age	No minimum age	P, J
Trinidad & Tobago	18	18	18	18	None
Uruguay	16	16	16	16	None
Venezuela	18	18	16	16	P

* Countries which in 2019 started initiatives to increase the minimum age of marriage to 18 without exceptions

** Countries for which it was not possible to access official information on the minimum age of marriage allowed by exceptions



PICTURED: Ketzali, Advocacy Coordinator at GoJoven Guatemala, delivering a workshop with adolescents.
Photo: Girls Not Brides/Priscilla Mora Flores/Colectivo Nómada.

What is needed to address CEFMU in LAC?

In June 2019, Mexico reformed its Federal Civil Code to establish 18 as the minimum age of marriage without exceptions. However, the state of Baja California kept state laws which allow exceptions for marriage before 18. Legal reforms should only be one part of efforts to address CEFMU in the region; a state-led multi-sectoral response is needed. This should include the participation of civil society organisations and be based on the needs of girls. The emphasis should be on preventing CEFMU and addressing its impact on girls who are already married or in a union.

Regional-level recommendations

- **Develop a shared perspective and public policy framework to address CEFMU** in the region.
 - Work with regional and intergovernmental organisations to raise awareness of the problem in LAC. Organise public campaigns to influence decision making and stimulate public debate in order to break the silence and address the practice.
- Develop a public policy framework to address CEFMU. This should include objectives, activities and indicators for education, prevention of sexual and gender-based violence, prevention of unintended adolescent pregnancy, and the promotion of sexual and reproductive rights. This framework would help foster an integrated understanding of CEFMU, identify indicators for success and promote the use of rights-based gender transformative approaches to address it.
- **Learn from the global evidence base** in order to strengthen initiatives in LAC.
 - Increase participation of key Latin American and Caribbean stakeholders in global discussions about CEFMU, and work to increase global awareness of the practice in the LAC region.
- **Strengthen the evidence base in LAC**
 - Collaborate with regional and international organisations (UNICEF, CEPAL, OEA, UNFPA, OMS) to stimulate more regional and comparative research.

- Work with national offices of statistics, researchers and donors to fill data and evidence gaps.
- Advocate for improvements in data collection systems, including data for girls under the age of 15.

National-level recommendations

- **Advocate for national governments to recognise the issue and take action.**
 - As of January 2020, *Girls Not Brides* has 30 member organisations based in 15 countries in LAC. These are Nicaragua, Mexico, Guatemala, Belize, the Dominican Republic, El Salvador, Colombia, Peru, Uruguay, Ecuador, Argentina, Trinidad and Tobago, Haiti, Paraguay and Brazil. *Girls Not Brides* member organisations in the region work to raise awareness of CEFMU at the regional and national level, and advocate for governments to take action.
- **Advocate for investment in – and support for – integrated multi-sectoral responses** that include the most marginalised girls.
 - National development plans and strategies drawn up by heads of state and their governments should include multi-sectoral responses to CEFMU. These should encompass – as a minimum – the education and health sectors, and employ gender transformative approaches and a human rights perspective. They should also include mechanisms to help those who have experienced gender-based violence to access justice.
 - Some countries in the region are developing national action plans to address CEFMU, and others are including it in their national adolescent pregnancy prevention plans.
- **Remove barriers to education and sexual and reproductive health care.**
 - Deliver on commitments to provide comprehensive sexual education (CSE) to children, adolescents and youth within and beyond school settings.
 - Remove legal and policy barriers that block adolescents' access to sexual and reproductive health care, including on the basis of age, sex, marital status or number of children. Invest in youth-friendly sexual and reproductive health care.
 - Remove policies that ban pregnant girls and mothers from the classroom, and implement policies that help adolescent mothers stay in or return to school. A new policy launched by the Government of Guyana in 2018 aims to reintegrate girls with children into the formal school system through a combination of outreach, improved financial support for mothers, and referral mechanisms between schools and the health system.⁴¹



PICTURED: Adolescent girl participating in a GoJoven Guatemala workshop. Photo: *Girls Not Brides*/Priscilla Mora Flores/Colectivo Nómada.

- **Support community-based interventions** in order to strengthen girls' agency and change harmful gender norms.
 - Community-based interventions should involve girls, couples, families and community members, and share information about existing legislation that protects girls' rights.
 - Identify the beliefs that promote and perpetuate CEFMU, and create safe spaces for girls to develop skills and alternative life plans.
 - Programmes that combine service delivery with community-level initiatives to change social norms are particularly effective. Abriendo Oportunidades (a Population Council Guatemala programme) combines efforts to change social norms related to CEFMU in Mayan communities with safe spaces and initiatives to improve access to education. The programme has reduced CEFMU and adolescent pregnancies among participants, and has increased schooling, self-esteem and family support for their life plans.⁴²
- **Make legislative changes** that guarantee that no girl is forced to enter into a union or marriage, and align legal and policy frameworks with international human rights standards.



PICTURED: Adolescent girls participate in a GoJoven Guatemala workshop. Photo: *Girls Not Brides*/Priscilla Mora Flores/Colectivo Nómada.

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THREE OF THE COUNTRIES MOST AFFECTED ARE IN LATIN AMERICA AND THE CARIBBEAN

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Girls Not Brides is a global partnership made up of more than 1,400 civil society organisations from over 100 countries united by a commitment to work in partnership to end child marriage and enable girls to fulfil their potential.



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