

BELIZE
A BRIEF ON CHILD MARRIAGE
(CEDAW Articles 2 and 16)

*Information for the Committee on the Elimination of Discrimination Against Women
89th Pre-Sessional Working Group, February 2024*

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INTRODUCTION

The WORLD Policy Analysis Center, based at the University of California, Los Angeles, captures quantitative policy data on more than 2,000 indicators that matter to equality, health, and well-being. We strive to improve the quantity and quality of globally comparative data available to policymakers, citizens, national governments, intergovernmental organizations, civil society, and researchers for all 193 UN member states. We submit the following brief in advance of the 89th Pre-Sessional Working Group of the Committee on the Elimination of Discrimination against Women.

This brief will focus on the following area:

Child Marriage (Articles 2, 16)

We have collected and analyzed information on rights, laws, and policies in these areas for all 193 UN member states using a variety of sources, including primary national legal sources (e.g. original legislation and constitutions), national reports on policies and laws to the United Nations and official global and regional bodies, and secondary sources where clarification or corroboration of primary data is needed. Using a rigorous double-coding process, we create original databases which distill thousands of pages of text to highlight the essential features of each right, law, or policy. These original databases are the reference for the following brief. When drafting each brief, we perform a series of additional verifications to ensure the data provided reflects the current constitutional and legal landscape of a country.

In this report we first provide a summary of our legislative findings, as well as suggested questions for the Committee to ask Belize and topics we hope the Committee will address in its concluding observations. This summary is followed by detailed legislative excerpts documenting our findings. We hope the Committee will recommend that Belize address any gaps in consultation and collaboration with relevant stakeholders, including civil society organizations. We also recognize that while having strong laws and policies in place are necessary first steps, implementation is also of paramount importance. In areas where we have commended Belize for having provisions in place, we hope the Committee will recommend that Belize work with stakeholders to overcome any obstacles in implementing these provisions.



SUMMARY OF FINDINGS AND RECOMMENDATIONS

1. Child Marriage (Articles 2, 16)

Based on our review, Belize’s legislative framework sets a minimum age of marriage of 18 for both boys and girls; however, minors over the age of 16 can marry with the consent of their parents. Belize’s last recorded child marriage rates remained high: 34% of women aged 20-24 at the time of survey had been married before age 18, 6% had been married before age 15, and 21% of girls ages 15 to 19 were already married.¹

RECOMMENDED QUESTIONS FOR THE LIST OF ISSUES AND CONCLUDING OBSERVATIONS

We hope the Committee will:

- In its list of issues, ask Belize: Can Belize outline any concrete, near-term plans to pass legislation that removes all existing exceptions to a minimum age of marriage of 18 years for both boys and girls?
 - If Belize does not have concrete near-term plans in place, recommend in its concluding observations that Belize develop a concrete plan to pass and implement legislation that protects children under the age of 18 from early marriage without exceptions.

¹ UNICEF Data Warehouse – Child Marriage. Retrieved November 30, 2023 from https://data.unicef.org/resources/data_explorer/unicef_f/?ag=UNICEF&df=GLOBAL_DATAFLOW&ver=1.0&dq=.PT_F_20-24_MRD_U15+PT_M_20-24_MRD_U18+PT_F_20-24_MRD_U18+PT_M_15-19_MRD+PT_F_15-19_MRD..&startPeriod=2016&endPeriod=2022



DETAIL OF LEGISLATIVE FINDINGS

While the following review is systematic and rigorous, we recognize that there may be laws or policies governing these areas that we have not captured, including new legislation or policies that have not yet been published globally.

1. Child Marriage (Articles 2, 16)

Child marriage disproportionately affects girls, often leading to social, economic, educational, and health inequalities, which States Parties have committed to eliminating. Article 16.2 of the Convention calls on States Parties to legislate a minimum age of marriage and prohibit the marriage of children. Additionally, disparities in the legal minimum age of marriage between girls and boys contravenes Article 2(a) of the Convention, which commits States Parties to “embody the principle of the equality of men and women” in their “national constitutions or other appropriate legislation”.

We systematically reviewed national civil codes and child-related legislation for all 193 UN member states to determine whether national legislation established a minimum age of marriage for both girls and boys generally, with parental consent, and under religious and customary law. We reviewed all legislation available through the Lexadin World Law Guide, Foreign Law Guide, International Labour Organization’s NATLEX database, regional sources, and official country websites.

BELIZE’S LEGISLATIVE PROVISIONS: Underage marriage permitted with parental consent

Based on our review, Belize’s Marriage Act sets the minimum age of marriage at 18, but permits marriage of minors over the age of 16 if the parents of the minor consent. Paragraph 189 of the State Party Report confirms that this has been the case since 2005.

Belize Marriage Act

4.-(1) A marriage solemnised between persons either of whom is under the age of sixteen shall be void.

(2) Nothing in this Act shall affect any marriage solemnised or contracted before the passing of this Act, and any such marriage shall be or become valid in any case where, if this Act had not been passed, it would have been or have become valid.

(3) A marriage solemnised between persons either of whom is sixteen years of age shall be valid only if the consent of a person referred to in section 5 of this Act is obtained prior to the solemnization of the marriage.

Consent to Marriage

5.-(1) Subject to this section, consent to the marriage of an infant shall be obtained in accordance with the following provisions-



(a) if both the infant's parents are alive and living together, consent shall be obtained from both parents;

(...)

The last available data shows relatively high rates of child marriage in Belize: 34% of women aged 20-24 at the time of survey had been married before age 18, 6% had been married before age 15, and 21% of girls ages 15 to 19 were already married.²

BRIEFING PREPARED BY THE WORLD POLICY ANALYSIS CENTER, UNIVERSITY OF CALIFORNIA, LOS ANGELES

² 2019 data taken from UNICEF. UNICEF Data Warehouse – Child Marriage. Retrieved November 30, 2023 from https://data.unicef.org/resources/data_explorer/unicef_f/?ag=UNICEF&df=GLOBAL_DATAFLOW&ver=1.0&dq=.PT_F_20-24_MRD_U15+PT_M_20-24_MRD_U18+PT_F_20-24_MRD_U18+PT_M_15-19_MRD+PT_F_15-19_MRD..&startPeriod=2016&endPeriod=2022