



**ETHIOPIA: A BRIEF ON CHILD MARRIAGE  
(CRC ARTICLES 19, 24, 28, 34, AND GENERAL COMMENT 4)**

*Information for the Committee on the Rights of the Child  
98<sup>th</sup> Pre-Sessional Working Group, May 2024*

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**TABLE OF CONTENTS**

**Introduction** .....1

**Summary of Findings and Recommendations**.....2

    1. Special Protection Measures: Child Marriage (Articles 19, 24, 28, 34, and General Comment No. 4) .....2

**Detail of Constitutional and Legislative Findings**.....3

    1. Special Protection Measures: Child Marriage (Articles 19, 24, 28, 34, and General Comment No. 4) .....3



## INTRODUCTION

The WORLD Policy Analysis Center, based at the University of California, Los Angeles, captures quantitative policy data on more than 2,500 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 98<sup>th</sup> Pre-Sessional Working Group of the Committee on the Rights of the Child.

This brief will focus on the following area:

- Special Protection Measures: **Child Marriage**

We have collected and analyzed information on rights, laws, and policies in these areas for all 193 UN member states (150 in the case of detention based on immigration status) 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 that 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 available information on the 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 Ethiopia, 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 Ethiopia 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 Ethiopia for having provisions in place, we hope the Committee will recommend that Ethiopia work with stakeholders to overcome any obstacles in implementing these provisions.



## SUMMARY OF FINDINGS AND RECOMMENDATIONS

### 1. Special Protection Measures: Child Marriage (Articles 19, 24, 28, 34, and General Comment No. 4)

According to our research, Ethiopian law prohibits any marriage under the age of 18, for both boys and girls; however, the government may grant dispensation to marry at 16. Neither religious nor customary marriages are exempted from these thresholds. Nevertheless, Ethiopia's child marriage rates in 2016 remained high, as 40% of women aged 20-24 at the time of survey had been married before age 18, and 14% had been married before age 15; further, in 2019, 22% of women aged 15-19 were already married.<sup>1</sup>

#### RECOMMENDED QUESTIONS FOR THE LIST OF ISSUES AND CONCLUDING OBSERVATIONS

##### We hope the Committee will:

- In its list of issues, ask Ethiopia: Can Ethiopia 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 Ethiopia does not have concrete near-term plans in place, recommend in its concluding observations that Ethiopia develop a concrete plan to pass and implement legislation that protects children under the age of 18 from early marriage without exceptions.
- In its list of issues, ask Ethiopia: given the high rates of child marriage even among girls younger than 15, what concrete, near-term plans are in place to reduce rates of child marriage?
  - If Ethiopia does not have concrete, near-term plans in place, recommend Ethiopia explore how to fully and effectively implement its legal guarantees that prohibit child marriage.

<sup>1</sup> UNICEF data – Child Marriage. Retrieved February 23, 2024 from <https://data.unicef.org/topic/child-protection/child-marriage/>



## DETAIL OF CONSTITUTIONAL AND 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. Special Protection Measures: Child Marriage (Articles 19, 24, 28, 34, and General Comment No. 4)

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General Comment No. 4 (2003) states that:

*The Committee strongly recommends that States parties review and, where necessary, reform their legislation and practice to increase the minimum age for marriage with and without parental consent to 18 years, for both girls and boys.*

Child marriage has life-long health, educational, and economic consequences, particularly for girls. Married girls are more likely to be victims of domestic abuse, experience pregnancy and childbirth complications due to early childbearing, and drop out of school, all of which affect core rights of the Convention, specifically the right to protection from violence (Article 19), the right to health (Article 24), the right to education (Article 28), and the right to protection from sexual exploitation and abuse (Article 34).

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, under religious and customary law, and with court or governmental approval. We reviewed all legislation available through the Lexadin World Law Guide, Foreign Law Guide, International Labour Organization's NATLEX database, Pacific Islands Legal Information Institute, Asian Legal Information Institute, JaFBase, and official country websites.

#### *ETHIOPIA'S LEGISLATIVE PROVISIONS: CHILD MARRIAGE PROHIBITED, BUT LATEST DATA SHOW IT IS STILL WIDELY PRACTICED*

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According to our research, Ethiopian law prohibits any marriage under the age of 18, for both girls and boys; however, dispensation given by the Minister of Justice can lower this age to 16. Neither religious nor customary marriages are exempted from these thresholds.



**The Revised Family Code Proclamation No. 213/2000**

*Section 2. Essential Conditions of Marriage*

*Article 7. — Age.*

- 1) Neither a man nor a woman who has not attained the full age of eighteen years shall conclude marriage.*
- 2) Notwithstanding the provisions of Sub-Article (1) of this Article, the Minister of Justice may, on the application of the future spouses, or the parents or guardian of one of them for serious cause, grant dispensation of not more than two years.*

*Article 26— Religious Marriage*

- 1) The conclusion of religious marriage and the formalities thereof shall be as prescribed by the religion concerned*
- 2) The provisions of this Code relating to the essential conditions of marriage shall be complied with in religious marriage*

*Article 27. — Customary Marriage.*

- 1) The conclusion of customary marriage and the formalities thereof shall be as prescribed by the custom of the community concerned.*
- 2) The provisions of this Code relating to the essential conditions of marriage shall be complied with in customary marriage*

Nevertheless, Ethiopia's child marriage rates in 2016 remained high, as 40% of women aged 20-24 at the time of survey had been married before age 18, and 14% had been married before age 15; further, in 2019, 22% of women aged 15-19 were already married.<sup>2</sup> Thus, child marriage in Ethiopia remains an issue of concern.

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

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<sup>2</sup> UNICEF data – Child Marriage. Retrieved February 23, 2024 from <https://data.unicef.org/topic/child-protection/child-marriage/>