

CHILD, EARLY AND FORCED MARRIAGE AND UNIONS IN GUATEMALA

Guatemala is among the countries with the highest prevalence of child, early and forced marriage and unions (CEFMU) in Latin America and the Caribbean: 30% of Guatemalan women marry or enter a union before the age of 18.



PICTURED: Nazaret, Emily, Deisy, Tania and Laura, leaders of the Las Niñas Lideran network, Chimaltenango. Photo: Verónica Buch/Levantemos

The main causes of CEFMU in Guatemala are gender inequality, poverty and discriminatory norms affecting children, adolescents and women, and other closely related factors such as sexual violence, adolescent pregnancy and school dropout.

Key recommendations

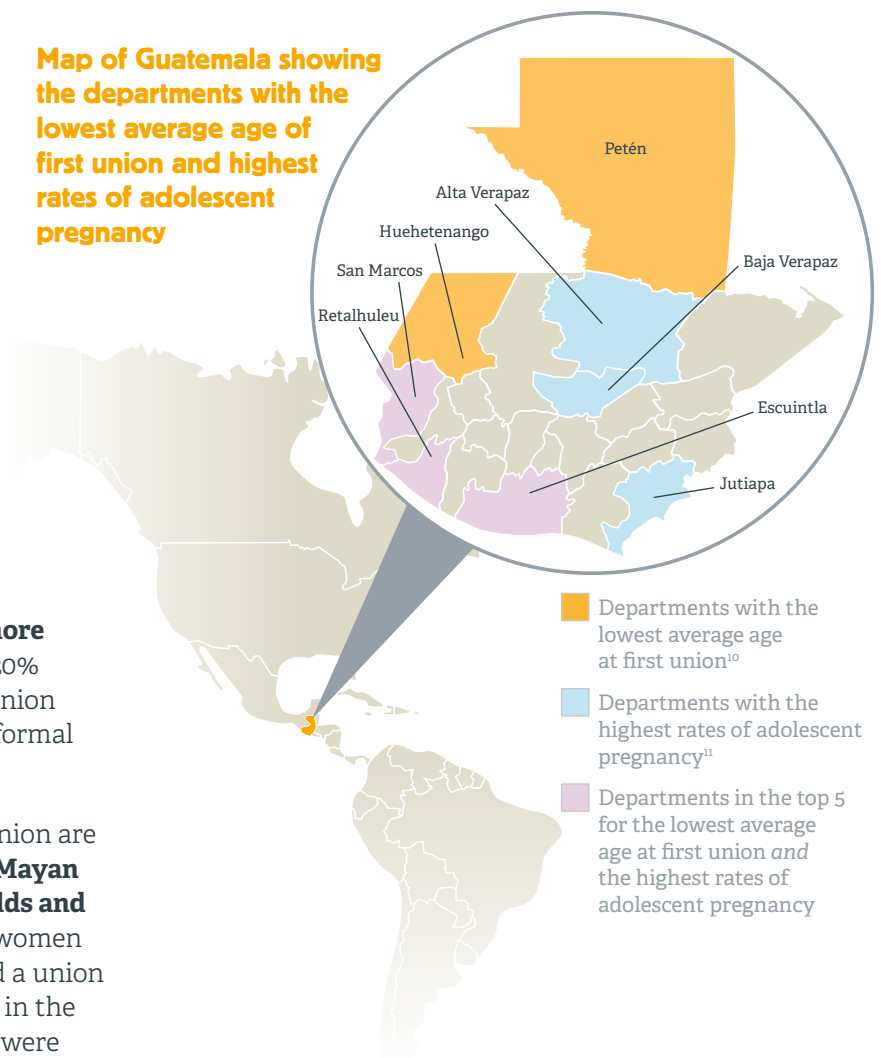
To effectively address CEFMU in Guatemala, we recommend diverse actors work together to:

- Improve coordination between key sectors, including education and health.
- Adopt integrated protection systems.
- Work with communities to transform discriminatory social norms.
- Run public campaigns about the rights of adolescents.
- Strengthen laws and public policies.

Current status of CEFMU in Guatemala

- In Guatemala, **30% of girls enter a union before they turn 18, and 6% before they are 15 years old.**¹ Only 10% of men enter a union before they are 18. The prevalence of CEFMU in Latin America and the Caribbean (LAC) as a region is 22%, compared to a global level of 19%.² Prevalence rates vary significantly in the region, from 8% in Jamaica to more than 30% in Suriname, the Dominican Republic, Nicaragua, Honduras and Belize.
- **In Guatemala, informal unions are much more common than registered marriages.** Only 20% of girls aged 15 to 17 who are currently in a union are legally married. Almost 65% are in an informal union.³
- In Guatemala, girls who are currently in a union are more likely to live in **rural areas, belong to Mayan ethnic groups, live in low-income households and have less access to education.** On average, women aged 25 to 49 with no education first entered a union when they were 17.9 years old, while women in the same age range who completed high school were 21.3 years old – a difference of 3.4 years.⁴ The average age at first union is also lower among Indigenous women: 19.1 years, compared to 19.9 years for non-Indigenous women.⁵ However, CEFMU also occurs in urban areas and among members of the middle and upper classes.
- The department with the highest *average* age at first union among women aged 25 to 49 is the department of Sacatepéquez (21 years), followed by Guatemala (20.8 years). The department with the lowest age at first marriage is Petén (18 years).⁶
- There is often a **big age gap between girls and their partners.** Of the 11,109 girls aged 15 to 19 that officially married in 2017, only 17.9% married someone in their own age range; the vast majority (82%) married men who were 20 years old, 23% of these girls married men over the age of 25.⁷
- While the prevalence of CEFMU in LAC has remained the same for the last 20 years, **Guatemala is one of the few countries that has achieved significant change.**⁸ In 1987, the prevalence of CEFMU was 36%, compared to 30% today. However, it is not yet known what has driven this change.⁹

Map of Guatemala showing the departments with the lowest average age of first union and highest rates of adolescent pregnancy



- Departments with the lowest average age at first union¹⁰
- Departments with the highest rates of adolescent pregnancy¹¹
- Departments in the top 5 for the lowest average age at first union and the highest rates of adolescent pregnancy

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”.¹²

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 “married” for a few specific cases where formal marriage is more common. 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.

Main causes of CEFMU in Guatemala

- **One of the key structural drivers of CEFMU is gender inequality**, including discriminatory social norms related to the role that girls and women are expected to play in the family, community and society. Gender norms define what girls can and cannot do, both before and after entering a union.¹³
- Girls are expected **to perform domestic tasks from a young age, while boys and men are not**. Tasks include housework and caring for other members of the household. Girls' education is not valued as much as that of boys, and time spent on domestic work directly takes away from the time girls can dedicate to their education.¹⁴ At the global level, school dropout is one of the principal causes of CEFMU.
- A recent study by Plan International interviewed Guatemalan boys aged 10 to 14, who said that girls enter into unions in order to “not be alone in life”, and because “girls are treated as if they have no value”.¹⁵
- Social and cultural norms related to masculinity also push men to enter unions with younger girls. In a recent study by UNFPA and FLACSO, Guatemalan men stated that they pursue relationships with adolescent girls because they like being an authority figure in girls' lives, and find younger girls are more easily dominated than older women. The same study found that **men with higher levels of education are more likely to form relationships with adolescents and younger women**.¹⁶ This finding contradicts the hypothesis that men with higher levels of education are more likely to be conscious of gendered power dynamics.
- **Poverty is another key driver of CEFMU**. When families face extreme poverty, parents and other family members may pressure girls to get married to reduce the perceived burden of supporting them. Adolescents may decide to enter a union to escape from poverty in the parental home.¹⁵ On average, women aged 25 to 49 in the lowest income group were aged 18.4 at first union, while women in the highest income group were aged 21.3 – a difference of three years.¹⁸
- **Adolescent pregnancy, sexual violence and early unions are closely related, and are often causes and consequences of each other:**¹⁹
 - In Guatemala, the **adolescent fertility rate^a is much higher than the regional or global average:** 92 births per 1,000 adolescents aged 15 to 19,²⁰ compared to 62 in LAC and 42 globally.²¹ The departments with the highest rates of adolescent fertility are Huehuetenango, Retalhuleu and Escuintla.²²
 - **Adolescents often enter unions because of unintended pregnancy.**²³ Once a girl gets pregnant, her parents may decide that she should marry because pregnancy outside of marriage reflects badly on the family.²⁴ Families are often unaware that in arranging a child marriage they are actually committing a crime, so it is important to work with families and communities to raise awareness of laws and policies related to CEFMU. The adolescent girl may also decide to get married after finding out she is pregnant.²⁵
 - **A lack of comprehensive sexuality education (CSE) and unmet need for contraception^b** contribute to high rates of unintended adolescent pregnancy. According to Mira que te Miro, the national CSE curriculum is extremely weak, with “zero teacher training and non-existent dissemination”. Religious beliefs also continue to influence many different aspects of public life, severely limiting the recognition of sexual and reproductive rights.²⁶ Guatemala does have a good legal and policy framework that in theory ensures access to **sexual and reproductive health care – including youth-friendly services** – but weak implementation means available health care is often inefficient and inadequate.
 - **Sexual abuse of adolescents – and even of younger girls** – can lead to unintended pregnancy. In 2020, the Reproductive Health Observatory registered 58,678 births to mothers aged 15 to 19, and 1,626 to girls aged 10 to 14.²⁷ Guatemalan age of consent laws mean that births to girls aged 10 to 14 must legally be treated as the result of sexual crimes.
 - In another recent study, girls in Guatemala said they **were aware of different methods of contraception, but that they didn't use any** method during their first sexual experiences because they felt too ashamed to go to health care facilities to ask for them; instead, they only started using contraception after the birth of their first child.²⁸ Another study found that adolescents from Indigenous communities were less likely to have access to information about how to avoid pregnancy and less likely to say they wanted to use contraception in the future.²⁹

^aThe adolescent fertility rate is the number of births per 1,000 adolescents aged 15 to 19.

^bUnmet need for contraception is the percentage of women (aged 15 to 49) who report that they do not want to get pregnant but are also not using any method of contraception.

Consequences of CEFMU

CEFMU perpetuates **cycles of poverty** and often leads to serious **physical, psychological and emotional consequences**.

- **CEFMU and adolescent pregnancy often lead to school dropout.**³⁰ It is estimated that CEFMU alone reduces the number of girls in secondary school by 16%.³¹ A study by the International Planned Parenthood Federation (IPPF) on adolescent mothers found that among girls aged 10 to 14 who were already mothers, 15% had never been to school, and of those who had previously been enrolled, 88% dropped out after becoming pregnant.³²
- **Adolescents who are married or in a union are often unable to achieve economic independence,** due to their limited schooling and the domestic roles they are expected to fulfil.³³ According to a UNICEF survey, only 27% of Guatemalan women aged 20 to 24 who entered a union before age 18 had worked in the past month, compared to 61% of women of the same age who had never been in a union.³⁴ Adolescent girls living in extreme poverty are also twice as likely to be mothers than those who are not: 19% of Guatemalan girls aged 15 to 19 living in extreme poverty are mothers, compared to 10% of girls of the same age who don't live in poverty.³⁵
- **Girls who are already mothers also report low participation in community spaces** – including community centres and decision-making spaces – largely because of their caring responsibilities. This lack of social connection limits their personal development and affects their wellbeing: it can limit their ability to develop support networks and can prevent them from developing the skills they need to recognise, exercise and defend their rights.³⁶
- Adolescent pregnancy and CEFMU in Guatemala often go hand in hand.³⁷ Adolescent pregnancy is **associated with increased health risks** – including obstetric fistula – and higher rates of infant mortality and unsafe abortion.³⁸
- **Pregnancy in girls under age 15 is physically riskier,** and according to Guatemalan age of consent laws, is defined as the product of **sexual violence**.³⁹ A study by IPPF on Guatemalan girls aged 10 to 14 who had already given birth, found that 50% of them were below average height and weight, and that 25% of their babies had low birth weight. It also found that many of them had physical and mental health issues directly related to the pregnancy or the sexual violence they had experienced. When asked, 65% of the girls interviewed said that they were currently in a union or cohabiting with a partner.⁴⁰



PICTURED: Nahomy and Maryory - leaders in the Las Niñas Lideran network of Chimaltenango - promote the "Marriage is not my only option" campaign. Photo: Verónica Buch/Levantemos

- **An unwanted pregnancy can be a very distressing experience,** particularly when the pregnancy is the result of sexual violence or when the girl is very young. Despite this and the risks associated with pregnancy in adolescence, abortion in Guatemala is only legally permitted when the pregnancy poses a threat to the mother's life. There is emerging evidence that unmet need for contraception and lack of CSE is driving Guatemalan girls and women to commit suicide.⁴¹
- Girls who are in a union may be more likely to acquire **sexually transmitted infections – including HIV** – than their unmarried counterparts. They have less power to say no to sex and to negotiate condom use, particularly when they are in unions with men who are older and more sexually experienced.⁴²
- Girls who enter a union before age 18 are more likely to experience **intimate partner violence**. This can be sexual, physical, psychological or emotional. The global evidence shows that the bigger the age difference between a girl and her partner, the more likely she is to experience violence in the relationship.⁴³ In Guatemala, 30% of women who got married before age 18 reported experiencing intimate partner violence, compared to 23% of women who married later.⁴⁴ Intimate partner violence can have devastating long-term effects on a woman's mental health and wellbeing.

Legal and policy framework in Guatemala

Decree 13-2017 prohibiting marriage before the age of 18 without exception was approved in 2017.⁴⁵



The new legislation is well known in communities, including among children, adolescents and young people. However, community leaders still sometimes support – and do not feel the need to hide – cases of CEFMU, particularly if a girl is pregnant.⁴⁶ The *Mesa nacional a favor de las niñas y adolescentes* documented 53 marriages involving girls under the age of 18 between September 2017 and July 2019, despite the new law.

- The new law in Guatemala has likely had **unintended consequences**. Although more evidence is needed, there is concern the law may push adolescents into informal unions.⁴⁷
- In Guatemala – as in other countries in LAC – marriage provides legal protections and rights related to property, child maintenance and alimony. It also offers social recognition. This means **girls in informal unions may experience more disadvantages and be placed at greater risk** than those who are legally married.
- **Informal unions remain low on the agenda** for law and policymakers, partly because they are difficult to address through legal measures.⁴⁸

Recommendations

- **Guarantee girls' meaningful participation in decision-making spaces and in the design of programmes that affect them.** Create formal platforms in state institutions and civil society organisations for girls to express their experiences, needs, desires and solutions, and ensure they are – and feel – empowered to influence the decisions that affect them.
- **Implement community-level interventions for social norms change:**
 - Facilitate intergenerational conversations with girls, boys, women, men, families and community leaders about the negative impacts of CEFMU. These conversations are also an opportunity to share details of legislation that aims to protect girls' rights and prevent gender-based violence (GBV) with communities.
 - Work with communities to transform norms and attitudes related to gender through community dialogue. Discussion topics should include alternative ways of understanding masculinity, and reflection on the norms that control girls' behaviour, limit their opportunities and push them out of school earlier than their male counterparts.
 - Make use of local radio and art as ways of engaging communities to transform social norms.
 - Work with and through existing local organisations and services, including local authorities, family associations, community centres and maternal health services provided by midwives.
- **Improve coordination between different sectors:**
 - Establish clear channels and standard procedures for referring cases of CEFMU between different sectors. For example, if a school identifies a girl who is at risk of CEFMU, or who is already in a union, a clear procedure should be in place to refer her to the health care services or legal assistance she may need.
- **Improve girls' access to – and quality of – education:**
 - Implement policies and programmes that guarantee access to education and increase school enrolment and retention rates, especially for the girls who have been most marginalised, including those from poor, rural and Indigenous communities.
 - Train public officials in the education sector on CEFMU prevention and related issues like adolescent pregnancy and GBV.
- **Guarantee access to sexual and reproductive health care and comprehensive sexuality education (CSE) for adolescent girls and boys, both in school and outside the school system:**
 - Advocate for the approval of Initiative 3896 – The National Youth Law – which would guarantee young people's access to CSE and specialist medical consultation on the different methods of contraception available.
 - Advocate for CSE to be taught in all schools, and for public health campaigns on CSE to engage young people who are out of school. Advocate for CSE training for teachers.
 - Implement training for health care providers on adolescent rights with regards sexual and reproductive health.

- Develop a strategy for overcoming barriers to accessing CSE and contraception during the COVID-19 pandemic. Approach community leaders and ask for their support in sharing information with adolescents.
- **Improve responses to gender-based violence:**
 - Strengthen systems for GBV prevention and link them to child protection systems.
 - Advocate for more support for those who have experienced GBV; improve the mechanisms through which those who have experienced sexual and physical violence can access justice.
 - Strengthen relevant laws and policies like “The plan for the prevention of gender-based violence and national policy for the promotion and integrated development of women”. This plan could be strengthened, particularly in terms of how its implementation will be monitored and evaluated.
- **Strengthen the evidence base on CEFMU in Guatemala:**
 - Work with the National Statistics Institute, The Ministry of Public Health and Social Assistance, researchers and donors to identify and fill data and evidence gaps related to CEFMU, particularly for 10- to 14-year-olds.
- Invest in documenting and evaluating CEFMU-related programmes and initiatives to build an evidence base for approaches that are most effective at preventing CEFMU and adolescent pregnancy, and also for supporting adolescent mothers and those who are already married or in a union.
- **Implement social support programmes for pregnant adolescents,** which include CSE and life skills:
 - Implement state-supported childcare that will allow adolescents to continue with their studies or undertake paid work.
 - Guarantee scholarships for the girls from the most marginalised communities who are already in a union, including those from rural and Indigenous communities.
 - Implement economic empowerment programmes for girls from the most marginalised communities who are already in a union.

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Girls Not Brides is a global partnership made up of more than 1,600 civil society organisations from over 100 countries committed to ending child marriage and ensuring girls can reach their full potential.

La Mesa a Favor de las Niñas y Adolescentes (Mesa de la Niña) is a collective of civil society organisations, funds and development agencies that emerged in 2012 to promote girls' and adolescents' rights. Its creation is framed by the declaration of 11 October as the International Day of the Girl, and by Operative Paragraph Number 10-2016 of the Guatemalan Congress, through which the State of Guatemala commits to placing the situation of girls on the public agenda, and to seeking their utmost wellbeing.

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