

Peru: Legislative Change to Prohibit Child Marriage

December 2023



Summary

In Peru, Young Lives longitudinal evidence and policy influencing has directly informed legislative change to prohibit and eliminate marriage with minors under the age of 18, as approved by Congress on 2 November 2023 and put into effect by Government promulgation on 25th November 2023. Notably, Young Lives evidence was directly cited in the Parliamentary Bill presented to Congress on 29 September 2022, with Young Lives Peru team invited to present related findings at a Congressional roundtable on 6 December 2022. This is a strong example of how high-quality longitudinal mixed-methods research can directly influence national policies to improve young people's lives.

Over the last decade, government records in Peru have registered over 4,000 child marriages, involving girls between the ages of 11 and 17 years; most of these child marriages (98%) result in young girls being married to adult men. In addition, analysis of Peru's 2017 census estimates that over 56,000 children aged between 12 and 17 are involved in some form of union, including informal unions and cohabitation, the vast majority of whom are girls.

This change in the law has the potential to protect thousands of young girls from child marriage – and to discourage informal unions and cohabitation with minors – particularly vulnerable girls growing up in poor and marginalised households, and among indigenous communities. It will also provide the opportunity for girls who were married as minors to have their marriages annulled.

Policy change

Legislative change in Peru to prohibit and eliminate any possibility of marriage with minors under the age of 18 was approved by Congress on 2 November 2023 and put into effect by Government promulgation on 25th November 2023. Prior to the new legislation, Article 42 of Peru's Civil Code permitted adolescents to marry from the age of 14 under certain conditions, with consent from at least one parent, despite the minimum legal age of marriage of 18 years for girls and boys. This change in the law also provides the opportunity for girls who were married as minors to have their marriages annulled.

Prevalence of child marriages in Peru

Government records in Peru, provided by the National Registry of Identity and Civil Status (RENIEC),¹ registered 4,357 child marriages between 2013 and 2022; 98.4% of these occurred between girls aged 11 to 17 and adult men. In 2020, a peak of 845 child marriages were recorded. In addition to formal marriages, young girls may also be vulnerable to informal unions and cohabitation, a practice that is relatively common in Peru. While specific numbers are difficult to ascertain, the most recent national census in Peru, carried out in 2017,² estimated that 1.9% of children aged between 12 and 17 years were in a union; this equates to 56,065 children, the vast majority of whom are girls.

Young Lives influence

Young Lives research and policy findings have directly informed both government and public debate on the prevalence and impact of early and child marriage in Peru over many years. Working at the senior level, Young Lives has provided evidence and advice through numerous presentations, briefings, research and policy outputs to representatives of key government ministries – including the Ministry of Women and Vulnerable Populations (MIMP), Ministry of Education (MINEDU) and Ministry of Health (MINSa) – alongside international organisations such as UNFPA and UNICEF, NGOs such as Plan International, and a range of leading academics.

Notably, Young Lives evidence was directly cited in the Parliamentary Bill presented to Congress on 29 September 2022, at the initiative of Congresswoman Flor Pablo.

In December 2022, the Young Lives Peru team (Vanessa Rojas and Alan Sanchez) were invited by Congresswoman Pablo to present Young Lives findings on early marriage and teenage pregnancy, as part of an evidence roundtable discussing the related bill.



Vanessa Rojas and Alan Sanchez in conversation with Congresswoman Flor Pablo

High-profile media coverage

Young Lives findings from the roundtable were disseminated in a [high-profile article](#) published in Congreso de la Republica on 6 December 2022. Congresswoman Pablo highlighted the vulnerability of girls from poor households, particularly those from indigenous communities, where the highest number of child marriages are currently registered.

“Young Lives longitudinal evidence on the causes and consequences of child marriage in Peru has been pivotal for driving this important legislative change. By giving voice to the lived experiences of girls and young women, the study has enabled a much more in-depth understanding of how poverty and entrenched gender norms continue to drive child marriage, particularly among remote and indigenous communities”

Congresswoman Flor Pablo

Wider media coverage citing Young Lives evidence over recent years has included numerous articles in the national press and high-profile blogs by leading academics and commentators, including in [La República](#) and more recently in [El Comercio](#).

Young Lives evidence

Young Lives longitudinal data has generated in-depth findings on the determinants and consequences of early marriage through following the lives of 12,000 young people in Ethiopia, India, Peru and Vietnam since 2001. Our mixed-methods evidence shows that early marriage and becoming a parent during adolescence corresponds to significantly worse life outcomes for both young women and their children.

¹ For more information, see: <https://portales.reniec.gob.pe/web/estadistica/estadisticas>

² For more information see: <https://www.gob.pe/en/535-check-results-of-the-2017-national-census>; and UNFPA and Plan International report (2019) <https://peru.unfpa.org/sites/default/files/pub-pdf/estudio-uniones-tempranas-web.pdf>

Girls who marry early are less likely to complete secondary education, with reduced opportunities to get a decent job and gain financial independence, and lower sense of well-being and empowerment. Early marriage is also closely linked to early pregnancy, with children born to young mothers under the age of 18 typically having a lower birthweight and shorter height-for-age. Our evidence shows that girls from poor households, especially where there has been an absent parent for a prolonged period, are most at risk of early marriage. Similarly, girls with low self-efficacy and low educational aspirations, and those with low school attendance and poor school performance are also at higher risk of early marriage and parenthood.

Evidence from Young Lives' [Young Marriage and Parenthood Study \(YMAPS\)](#) shows that poverty and entrenched gender inequality are key drivers of child marriage. Social and cultural norms that discriminate against girls and women also undermine opportunities for girls, limiting their educational and job prospects. Girls who marry early typically have limited knowledge about or access to sexual and reproductive health care and services, often leading to early pregnancies, and are at much greater risk of physical and psychosocial violence from their partners.

Key Young Lives evidence on early marriage / referenced in engagement with Peruvian Congress

	Research paper	Authors	Summary
1	Experiences of Cohabitation, Marriage and Parenting in Peruvian Adolescents and Youth (2020) Spanish version (2019)	Vanessa Rojas and Francis Bravo Research report as part of Young Motherhood and Parenthood Study (YMAPS) funded by IDRC	This report presents experiences of young people who, between the ages of 14 and 21, were married/started living together and/or had become mothers or fathers. Directly cited in Parliamentary Bill Referenced in presentation to Congressional Roundtable to debate Parliamentary Bill
2	Breaking the Silence: Why do Young Women in Peru Marry or Cohabit at a Young Age, and What are the Consequences? (2020)	Vanessa Rojas, Francis Bravo, and Nikki van der Gaag Book chapter in: <i>Dreaming of a Better Life: Child Marriage Through Adolescent Eyes</i> – part of YMAPS	Referenced in presentation to Congressional Roundtable to debate Parliamentary Bill
3	Raising the Age of Marriage in India: Legislation Alone Will Not be Enough (2022)	Renu Singh and Kath Ford Young Lives Policy Brief 53	Referenced in presentation to Congressional Roundtable to debate Parliamentary Bill
4	Understanding Teenage Fertility, Cohabitation, and Marriage: The Case of Peru (2016)	Marta Favara, Pablo Lavado and Alan Sanchez	Referenced in UNFPA and Plan International report , which is directly cited in Parliamentary Bill Referenced in presentation to Congressional Roundtable to debate Parliamentary Bill
5	Maternal Age and Offspring Human Capital in India (2019)	Marcelo Perez-Alvares and Marta Favara	Related findings referenced in presentation to Congressional Roundtable to debate Parliamentary Bill

Looking forward

While the change in Peru's legislation is an incredibly important step in protecting young girls from child marriage, Young Lives evidence shows that **legislation alone is not enough**, as discussed in Young Lives Peru's [recent article in El Comercio](#) (authored by Vanessa Rojas), and highlighted in our recent work in India (see Appendix).

Tackling the underlying causes of early marriage and parenthood involves addressing a range of factors associated with poverty and inequality, *and* addressing persistent social norms which discriminate against girls and young women, particularly among poor and marginalised

communities. Effective approaches need to respond to local circumstances and further research is required to ensure that targeted interventions are underpinned by robust evidence of what works in different contexts. Importantly, ensuring that a diversity of voices and lived experiences inform changes in legislation and related policy implementation is vital to deliver lasting positive change.

A new multisectoral national plan to reduce the rate of teenage pregnancy, a consequence of child marriage and early cohabitation, is currently being developed in Peru. Ensuring this is successfully implemented will require strong political will and engagement across whole communities, including working with men and boys.

Appendix: Young Lives impact on addressing early marriage in India

In 2022, Young Lives India Country Director, Dr Renu Singh, was invited to present evidence to the Indian Parliamentary Standing Committee examining a new bill to increase the legal age of marriage for women from 18 to 21 years of age.

[Building on many years of engagement](#) with key government partners, our longitudinal evidence is continuing to inform this huge potential change in the law in India. By increasing the marital age of women from 18 years to 21 years (on a par with men), the bill aims to improve the health and well-being of young women and their children, reduce the incidence of teenage pregnancies and support women to secure better education and work opportunities.

Significantly, Young Lives evidence demonstrates that [raising the legal age of marriage alone will not be enough](#) to deliver the intended positive impacts on the lives of young women and their children; rather, policymakers need to adopt a broad approach to addressing early marriage.

A final decision on this bill is expected in 2024, following the appointment of a new Chair of the Parliamentary Standing Committee.