

Beat: Politics

Spain prohibits marriage of minors under 16 years

Even with court permission

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USPA NEWS - More than 28,500 boys and girls under 16 years Spaniards have married in Spain since 1975. Although the trend is clearly downward, the Spanish Government has decided to change the law so that from this July 15 older children have forbidden to marry.

So far, the Spanish laws allow marriage at age 14, and minors, provided they were emancipated and a judge authorization. Thus, since 1975 have married in Spain 28,685 minors -in Spain the majority is set at 18 years-, although such marriages today is clearly exceptional, as demonstrated by data from the National Statistics Institute (INE its acronym in Spanish) in the 70s of last century married each year about 2,000 children under 16, mostly girls, while in 2000 were 360. If it includes minors who are 16 and 17, last year they were married in 2013 were 74 and 99 respectively.

Both the Committee on the Rights of the Child United Nations and the Council of Europe and NGOs active in the protection of minors came to Spain asking that ariseth contrarer the minimum age for marriage, the lowest in the EU, to 18 years, coinciding with the legal age of majority. A few months ago, the Spanish Parliament approved an amendment to the Law on Voluntary Jurisdiction which prohibits children under 16 years marriage and limits the conditions under which minors can marry who are 16 and 17 years. The amendment comes into force on July 15, the date of which has no effect Article 48 of the Civil Code that allowed judges of first instance "dispensing with just cause and istancia from" impediment old.

This rule allowed judges to declare emancipated children 14 years old and authorize their marriage. This possibility remains for children 16 to 17 years, but must always have those who hold the granting of parental rights and the judge's permission. According to NGO child protection, with this change forced marriages of minors, although without statistical significance, are continuing to hamper in Spain.

Furthermore, the rule that takes effect this July 15 raised to 16 years the minimum age for sexual intercourse is considered spoiled. So far, this minimum was set at 13 years. Thus, Spain is in line with the European Convention on the Rights of Children and hardens his fight against pedophilia and forced marriages. These marriages are mostly female, as evidenced by the INE: in 1975 married 77 boys and 2,272 girls under 16 years. In 1980, 73 boys and 2,517 girls under 16 are married. In 1990 there were 16 boys and 481 girls, while in 2000 married 2 children and 86 girls under 16 years. The numbers are down since then, but the Spanish government wants the practice disappears.

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