

NORTHERN IRELAND HUMAN RIGHTS COMMISSION

Submission to the Committee for Finance on the Marriage and Civil Partnership Bill

June 2026

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1.0 Introduction

1.1 The Northern Ireland Human Rights Commission (NIHRC), pursuant to sections 69(1), 69(3) and 69(4) of the Northern Ireland (NI) Act 1998, reviews the adequacy and effectiveness of law and practice relating to the protection of human rights in NI. The NIHRC is also required under section 78A(1), 78A(5) and 78A(6) to monitor the implementation of Article 2(1) of the Windsor Framework[1]. Windsor Framework Article 2 is given effect in UK law by section 7A of the EU (Withdrawal) Act 2018.

1.2 In accordance with these functions, the following evidence is submitted to the Committee for Finance, on the Marriage and Civil Partnership Bill (the Bill) and refers to the version of the Bill as introduced to the NI Assembly on 16 March 2026 (Bill 30/22-27). The NIHRC welcomes this opportunity to provide evidence to the Committee for Finance on proposals to recognise 'belief marriages'[2] and to raise the minimum age for marriage and civil partnership to 18.

1.3 The NIHRC bases its advice on the full range of internationally accepted human rights standards. This includes the European Convention on Human Rights, as incorporated by the Human Rights Act 1998, and other relevant treaty obligations of the Council of Europe (CoE) and United Nations (UN). The regional and international treaties that are relevant to this advice include:

- European Convention on Human Rights (ECHR);[3]
- CoE Convention on Preventing and Combating Violence against Women (Istanbul Convention);[4]
- UN Convention on the Rights of the Child (UN CRC);[5]

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1 The Windsor Framework was formerly known as the Protocol on Ireland/Northern Ireland to the to the Agreement on the Withdrawal of the UK of Great Britain and NI from the EU and the European Atomic Energy Community, 24 January 2020 (UK-EU Withdrawal Agreement) (see Decision No 1/2023 of the Joint Committee established by the Agreement on the Withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community of 24 March 2023 laying down arrangements relating to the framework).

2 A belief marriage is a legally recognised marriage ceremony performed by a person of a non-religious, philosophical group for example from the Humanist Society, where the officiant is authorised by the Registrar General to conduct belief marriages. The other forms of marriage are civil marriage (which is entirely secular) and religious marriage (performed by an authorised religious official).

3 Ratified by the UK 1951. Further guidance is also taken from the body of case law from the European Court of Human Rights (ECtHR).

4 Ratified by the UK 2022.

5 Ratified by the UK 1989.

- UN International Covenant on Civil and Political Rights (UN ICCPR);[6]
- UN Convention on Elimination of Discrimination against Women (UN CEDAW);[7]
- UN Convention against Torture (UN CAT);[8]
- Universal Declaration of Human Rights (UDHR).[9]

1.4 In addition to treaty standards, there exists a body of 'soft law' developed by the human rights bodies of the CoE and UN. These declarations and principles are non-binding but provide further guidance in respect of specific areas. The relevant standards in this context include:

- UN Human Rights Committee General Comment No.22;[10]
- UN CRC General Comment No.4;[11]
- UN CRC General Comment No.20;[12]
- UN CRC General Comment No.18;[13]
- UN CEDAW General Comment No.21;[14]
- UN CEDAW Committee Concluding Observations 2019;[15]
- UN CAT Committee Concluding Observations 2019;[16]
- UN General Assembly Resolution 75/167 Child, early and forced marriage 2020.[17]

1.5 In 2022, the NIHRC responded to the Department for Finance's public consultation on legislative options for the Bill.[18] The NIHRC welcomes the proposed Bill and encourages the Committee for Finance to review its previous submission for a detailed overview of its advice on belief

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6 Ratified by the UK 1966.
7 Ratified by the UK 1986
8 Ratified by the UK 1988.
9 Ratified by the UK 1951.
10 HRI/GEN/1/Rev.1, 'UN Human Rights Committee General Comment No.22: Article 18' 1993.
11 CRC/GC/2003/4 'UN CRC General Comment No. 4: Adolescent Health and Development in the Context of the Convention on the Rights of the Child' 1 July 2003.
12 CRC/C/GC/20, 'UN CRC General comment No. 20 (2016) on the implementation of the rights of the child during adolescence' 6 December 2016.
13 CRC/C/GC/18/Rev.1, ''UN CRC General comment No. 18 (2019) on harmful practices', 8 May 2019.
14 A/49/38 'UN CEDAW Committee, General Recommendation No. 21: Equality in Marriage and Family Relations' 13th session, 1994.
15 CEDAW/C/GBR/CO/8, 'UN CEDAW Committee Concluding Observations on the UK Eighth Periodic Report', 8 March 2019.
16 CAT/C/GBR/CO/6, 'UN CAT Committee Concluding Observations on the Sixth Periodic Report of the UK of Great Britain and NI', 7 June 2019.
17 A/RES/75/167, 'UN General Assembly Resolution adopted by the General Assembly on 16 December 2020', 23 December 2020.
18 NI Human Rights Commission, 'Submission to Department of Finance consultation on Marriage Law' (NIHRC, 2022).

marriages and the age of marriage.

1.6 On 7 May 2026, the UK Supreme Court delivered its judgment in *Dillon*, which considers Windsor Framework Article 2.[19] The NIHRC is reviewing this judgment and will provide further advice on Windsor Framework Article 2 and relevant EU obligations in due course.

2.0 Part 1: Belief Marriage

2.1 The Bill provides for the equal recognition of belief marriages solemnised on the basis of non-religious beliefs, affording them the same legal status as religious marriages. Part 1 of the Bill makes the necessary amendments to the Marriage (NI) Order 2003 (the 2003 Order)[20] to place belief marriages within its statutory framework.

2.2 The NIHRC welcomes Clauses 1 to 4 of the Bill which give statutory recognition to belief marriages. Since 2017, belief marriages have been afforded legal recognition but build upon temporary arrangements. It is the NIHRC's understanding that the Bill seeks to build upon those temporary arrangements that were put in place following the judgment in the *Re Smyth* case[21], in which a couple with humanist beliefs challenged the decision of the Registrar General to refuse authorisation to a humanist celebrant to conduct a marriage ceremony. The High Court held that the provisions of the 2003 Order were not compliant with the Article 9 ECHR rights of the couple. It determined that belief marriages should be treated in the same way as religious marriages. This was upheld on appeal to the NI Court of Appeal.

2.3 The proposed clauses are highlighted below:

Clause 1: Belief Bodies: registration of members to solemnise marriage

2.4 Clause 1 of the Bill amends the 2003 Order by inserting the words "or belief" into Articles 10, 11 and 13 so that references to a "religious body" become "religious or belief body," allowing non-religious bodies such as humanists to register persons as officiants to solemnise marriages in NI. Subsection (2)(d) of this Clause provides that religious or belief bodies

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19 In the matter of an application by Martina Dillon and others for Judicial Review [2026] UKSC 15.
20 The Marriage (Northern Ireland) Order 2003.
21 In the matter of an application by Laura Smyth [2017] NIQB 55; and [2018] NICA 25.

making applications under Article 10 may need to meet additional eligibility requirements set by Departmental Regulations.

Clause 2: Belief bodies: temporary authorisation to solemnise marriage

2.5 Clause 2 amends Article 14 of the 2003 Order, so that temporary authorisations to solemnise marriages apply to both religious and belief marriages, not just religious marriages. Subsection 2(4) prevents the Registrar General from granting temporary authorisation if the applicant's religious or belief body does not meet eligibility requirements in regulations.

Clause 3: Belief marriage: definitions

2.6 This clause amends various definitions within Article 2 of the 2003 Order which currently refer to religious bodies or religious marriages to include both religious and belief bodies and religious and belief marriages. Clause 4 makes corresponding amendments to the 2003 Order in relation to marriage schedules, registration of marriages and solemnisation of religious marriage to include belief marriages.

2.7 The NIHRC reiterates its advice to the Department for Finance's public consultation. Freedom of thought, conscience and religion are protected by Article 9 ECHR, Article 18 UDHR, Article 18 ICCPR and Article 14 UNCRC. Article 14 ECHR enshrines the protection against discrimination in the enjoyment of ECHR rights "on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status". The European Court of Human Rights (ECtHR) has established that a difference of treatment is discriminatory within the meaning of Article 14 if it has no objective and reasonable justification.[22]

2.8 Subject to certain conditions,[23] the State has a duty of neutrality and

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22 Karlheinz Schmidt v. Germany judgment of 18 July 1994, Series A no. 291-B, pp. 32-33, § 24.
23 Eweida and Others v. the United Kingdom, Applications nos. 48420/10, 59842/10, 51671/10 and 3 6516/10, para 81, in which the court noted "the right to freedom of thought, conscience and religion denotes views that attain a certain level of cogency, seriousness, cohesion and importance (see Bayatyan v. Armenia [GC], no. 23459/03, § 110, ECHR 2011; Leela Förderkreis e.V. and Others v. Germany, no. 58911/00, § 80, 6 November 2008; Jakóbski v. Poland, no. 18429/06, § 44, 7 December 2010). Provided this is satisfied, the State's duty of neutrality and impartiality is

impartiality which is not compatible with the State's assessment of the legitimacy of a religious belief or the ways in which those beliefs are expressed.[24]

2.9 In Re Smyth, the High Court observed:

> [96] In relation to the solemnisation of marriage the State has chosen to authorise the solemnisation of religious marriage ceremonies in recognition of those bodies' beliefs. Having done so, in my view it should provide equal recognition to individuals who hold humanists beliefs on the basis of my findings that humanism does meet the test of a belief body and that a wedding ceremony conducted by a humanist constitutes a manifestation of that belief.
> [97] I consider that there has been a breach of the applicant's rights under Articles 9 and 14 of the ECHR.[25]

2.10 The NIHRC notes that the equal recognition of belief marriages upholds the right to freedom of thought, conscience and religion in Article 9 with the prohibition of discrimination in Article 14 of the ECHR. It is important to recall that Article 9 includes the right to change one's religion or beliefs at any time and a wide range of non-religious beliefs.[26] For a belief to be protected it must be serious, concern important aspects of human life or behaviour, be sincerely held, and be worthy of respect in a democratic society.[27]

3.0 Part 2: Minimum Age for Marriage or Civil Partnership

3.1 Part 2 of the Bill raises the minimum age of marriage and civil partnership to 18 and introduces an offence of conduct relating to marriage of persons under 18.

3.2 The proposed clauses are highlighted below.

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incompatible with any power on the State's part to assess the legitimacy of religious beliefs or the ways in which those beliefs are expressed (see Manoussakis and Others v. Greece, judgment of 26 September 1996, Reports 1996-IV, p. 1365, § 47; Hasan and Chaush v. Bulgaria [GC], no. 30985/96, § 78, ECHR 2000-XI; Refah Partisi (the Welfare Party) and Others v. Turkey [GC], nos. 41340/98, 41342/98, 41343/98 and 41344/98, § 1, ECHR 2003-II).

24 Eweida and Others v. the United Kingdom, Applications nos. 48420/10, 59842/10, 51671/10 and 3 6516/10, para 81.

25 [2017] NIQB 55.

26 Such as atheism, agnosticism, humanism.

27 See for example the test set out in the UK case of Grainger plc v. Nicholson [2010] ICR 360.

Clause 5: Raising of minimum age for marriage

3.3 Subsections (1)(b) and (2)(b) of Clause 5 amends the 2003 Order and the Age of Marriage Act (Northern Ireland) 1951, respectively, to increase the minimum age of marriage from 16 to 18.

Clause 7: Raising of minimum age for civil partnership

3.4 This clause makes provision to raise the minimum age for civil partnership from 16 to 18 by making amendments to the relevant provisions of the Civil Partnership Act 2004 ("the 2004 Act").

Clause 8: Civil partnerships registered outside Northern Ireland

3.5 This clause amends provisions of the 2004 Act that addresses civil partnerships registered outside of Northern Ireland, rendering them void if either party was under 18 and domiciled in Northern Ireland at the time.

Clause 9: Minimum age for marriage and civil partnership: consequential amendments

3.6 Clause 9 introduces Part 2 of the Schedule, which makes minor amendments to objections, the marriage schedule, the marriage notice, solemnisation of marriage, the registration of marriage, the Registrar's power to require delivery of the marriage schedule, and provisions relating to the protection from compulsion in relation to the solemnisation of marriages of same-sex couples. The NIHRC welcomes clauses 5,7, 8 and 9 which are aligned with human rights standards by raising the minimum age for marriage and civil partnership to 18. The UN Committee on the Rights of the Child has long advocated that all member states should set 18 as the minimum age for marriage.[28]

3.7 Human rights law protects the right to marry for those of 'marriageable age' according to national laws.[29] The ECtHR has held that States enjoy a

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28 CRC/GC/2003/4, 'UN CRC Committee, General Comment No. 4' 1 July 2003 at para 20 ; CEDAW/C/GC/31/Rev.1–CRC/C/GC/18/Rev.1, 'Joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices', at para 55 (f).
29 Article 12, ECHR; Article 9, CFR; Article 16(2), UN CEDAW; Article 23(2) ICCPR.

wide margin of appreciation.[30] However, if the State seeks to restrict the right those restrictions must not be arbitrary or interfere with the very essence of the right.[31] The UN CRC Committee and the UN CEDAW Committee recommend setting the minimum age for marriage with and without parental consent to 18 years, for both girls and boys.[32]

3.8 The NIHRC notes that in England and Wales and Ireland the minimum age of marriage has been set at 18.[33] The proposed Bill ensures that NI respects, protects and fulfils its obligations.

3.9 The latest statistics for 2024 indicates that 37 girls and 7 boys were married in Northern Ireland.[34] These statistics demonstrate that a significant majority of child marriages in NI involve girls, who disproportionately bear the associated risks and adverse consequences. The UN CRC and UN CEDAW Committees have highlighted that child marriage often coincides with other rights violations and harmful consequences disproportionality affecting girls:

> Child marriage is often accompanied by early and frequent Pregnancy and childbirth, resulting in higher than average maternal morbidity and mortality rates. Pregnancy-related deaths are the leading cause of mortality for girls between 15 and 19 years of age, whether married or unmarried, around the world. Infant mortality among the children of very young mothers is higher (sometimes as much as two times higher) than among those of older mothers. In cases of child and/or forced marriage, in particular where the husband is significantly older than the wife, and where girls have limited education, the girls generally have limited decision-making power in relation to their own lives. Child marriage also contributes to higher rates of school dropout, especially among girls, forced exclusion from school and an increased risk of domestic violence, in addition to limiting the enjoyment of the right to freedom of

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30 O'Donoghue and others v the United Kingdom, Application no.34848/07, 14 December 2010.
31 Frasik v Poland, Application no.22933/02, 5 January 2010.
32 CRC/GC/2003/4, 'UN CRC Committee, General Comment No. 4' 1 July 2003 at para. 16; A/49/38 'UN CEDAW Committee, General Recommendation No. 21: Equality in Marriage and Family Relations' 13th session, 1994, at para. 36.
33 In England and Wales it is contained in Marriage and Civil Partnership (Minimum Age) Act 2022; Section 31, Family Law Act 1995.
34 NI Statistics and Research Agency, 'Registrar General Annual Report 2024 Marriages' (NISRA, 2025) Table 7.1.

movement.[35]

3.10 These health and education related consequences threaten the lives and futures of girls and women.[36] It has also been noted that without education, girls and women have fewer opportunities to financially provide for themselves and their families, undermining their personal, social, and economic autonomy.[37] This also makes them more vulnerable to domestic violence and abuse.[38]

3.11 In 2016, the UN CRC Committee recommended that the UK Government and the NI Executive raise the minimum age of marriage to 18 years.[39] In 2023, the UN CRC Committee stated that it was "concerned that children who are 16 and 17 years of age do not always receive protection as children, and that marriage under 18 years of age remains permissible in… NI".[40] The UN CRC Committee recommended that the UK Government and the NI Executive "prohibit all marriages under 18 years of age, without exception, in… NI".[41] The UN CRC Committee also recommended that the UK Government and NI Executive:

> develop national strategies aimed at eliminating and preventing harmful practices affecting children, including child marriage… and ensure that it includes effective measures for raising public awareness, training relevant professional groups, identifying victims and addressing data gaps and low rates of reporting and prosecution.[42]

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35 CEDAW/C/GC/31/Rev.1–CRC/C/GC/18/Rev.1, 'Joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child on harmful practices' 8 May 2019, at para 22.
36 UNICEF, 'Child marriage is a violation of human rights, but is all too common' , April 2025
37 CEDAW/C/GC/31/Rev.1–CRC/C/GC/18/Rev.1, 'Joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child on harmful practices' 8 May 2019, at para 22 ; UNICEF, 'Child marriage is a violation of human rights, but is all too common' April 2025; A/49/38, 'UN CEDAW Committee, General recommendation No. 21: Equality in marriage and family relations' , 1994 at para 36.
38 CEDAW/C/GC/31/Rev.1–CRC/C/GC/18/Rev.1, 'Joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child on harmful practices' 8 May 2019, at para 22.
39 CRC/C/GBR/CO/5, 'UN CRC Committee Concluding observations on the fifth periodic report of the United Kingdom of Great Britain and Northern Ireland' 3 June 2016.
40 CRC/C/GBR/CO/6-7, 'UN CRC Committee Concluding Observations on the Combined Sixth and Seventh Periodic Reports of the UK of Great Britain and NI', 2 June 2023, at para 18.
41 CRC/C/GBR/CO/6-7, 'UN CRC Committee Concluding Observations on the Combined Sixth and Seventh Periodic Reports of the UK of Great Britain and NI', 2 June 2023, at para 18(b).
42 CRC/C/GBR/CO/6-7, 'UN CRC Committee Concluding Observations on the Combined Sixth and Seventh Periodic Reports of the UK of Great Britain and NI', 2 June 2023, at para 35(a).

3.12 It is important to distinguish between the age of consent and the minimum age for marriage. The UN CRC Committee has advised that States need to ensure that specific legal provisions are guaranteed under domestic law, including with regard to setting a minimum age for sexual consent and marriage.[43] In this regard, consideration must be given to the evolving capacities of the child, as recognised in Article 5 of the UN CRC and elaborated upon by the UN CRC Committee.[44] This concept acknowledges that a child's ability to make autonomous decisions develops progressively with age and maturity.[45]

3.13 While the age of consent relates to an individual's capacity to engage in personal relationships, marriage constitutes a formal legal and financial contract. The UN CEDAW Committee has stated that, "when men and women marry, they assume important responsibilities" which should not be permitted before they have attained full maturity and capacity to act.[46]

Clause 6: Offence of conduct relating to marriage of persons under 18 years

3.14 Clause 6 of the Bill, amends section 16 of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 to introduce a criminal offence of conduct carried out by a person for the purpose of causing a child under the age of 18 who is habitually resident in NI, or is a UK national who is not habitually resident or domiciled in Scotland, to enter into a marriage in NI.

3.15 Clause 6 is closely aligned with and reflects section 2 of the Marriage and Civil Partnership (Minimum Age) Act 2022, which also establishes an offence in England and Wales relating to marriage of persons under 18. In a similar manner to the proposed amendment in NI, the offence extends to any conduct that causes a child under 18, who is habitually resident in

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43 CRC/GC/2003/4, 'General Comment No. 4 (2003) Adolescent health and development in the context of the Convention on the Rights of the Child ', 1 July 2003 at para 5.
44 CRC/GC/2003/4, 'General Comment No. 4 (2003) Adolescent health and development in the context of the Convention on the Rights of the Child ', 1 July 2003 at para 9.
45 CRC/C/GC/12, 'UN CRC Committee, General Comment No. 12 (2009) The right of the child to be heard', 20 July 2009 at para 29-31, 84, 91.
46 A/49/38, 'UN CEDAW Committee, General recommendation No. 21: Equality in marriage and family relations', 1994 at para 36.

England and Wales, to enter into a marriage, irrespective of whether the conduct occurs within or outside those jurisdictions. Importantly the new offence in NI is no longer limited to situations which involve violence, threats or any other form of coercion or deception, thereby aligning NI more closely with the preventative approach adopted in England and Wales.

3.16 The provision in Clause 6 ensures that there are no gaps in practice.

3.17 Article 19 of the UN CRC obliges States to protect children from all forms of physical or mental violence. In Joint General Recommendation No.31 and General Comment No.18, the UN CEDAW Committee and UN CRC Committee record that "child marriage is considered to be a form of forced marriage, given that one or both parties have not expressed full, free and informed consent".[47] The Committee noted that given their specific vulnerability to maltreatment, the obligation to protect a child from all forms of violence should continue to apply when children under the age of 18 attain majority or emancipation through early marriage and/or forced marriage.[48]

3.18 In May 2025, the UN Special Rapporteur on Violence Against Women and Girls recommended that the UK Government and NI Executive:

> conduct studies to gain a better understanding of the scale of forced marriages in the UK, including by creating a task force to coordinate the relevant agencies, mandate training for frontline staff to spot coercion, run a targeted education campaign on marriage laws and fund safe spaces with legal, housing and counselling support for victims, ensuring protection orders are enforced.[49]

3.19 The CoE Group of Experts also noted that "for specific forms of violence, in particular, forced marriage… prevention in the form of outreach to practising communities is crucial".[50] The CoE Group of Experts strongly

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47 CEDAW/C/GC/31/Rev.1–CRC/C/GC/18/Rev.1, at para. 20; see also, CRC/C/GC/13, 'UN CRC Committee General Comment No.13: The right of the child to freedom from all forms of violence' 18 April 2011, at para.29.
48 CRC/C/GC/13, at para 3.
49 A/HRC/59/47/Add.1, 'Report of the UN Special Rapporteur on Violence Against Women and Girls, Its Causes and Consequences, Reem Alsalem', 20 June 2025, at para 88(w).
50 CoE Group of Experts on Action Against Violence Against Women and Domestic Violence, 'Baseline Evaluation Report on Legislative and Other Measures Giving Effect to the Provisions of the CoE Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention): UK' (CoE, 2025) at para 110.

encouraged the UK Government and NI Executive to:

> increase their efforts to eradicate prejudice, harmful gender stereotypes and all forms of violence against women across society through wider prevention measures on violence against women and girls that form part of a comprehensive and holistic approach as required by the Istanbul Convention.[51]

3.20 Furthermore, the CoE Group of Experts strongly encouraged the UK Government and NI Executive to:

> set up multi-agency co-operation structures among the relevant statutory and other agencies in relation to… forced marriage… as required by Article 18(2) of the Istanbul Convention, and to ensure their approach to service provision is based on a gendered understanding and other principles on which support and protection services should be based, such as being aimed at empowerment and avoiding secondary victimisation and operating on a one-stop-shop basis, where possible.[52]

3.21 The CoE Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) establishes a minimum legal framework across Europe to protect women and girls against all forms of violence, and prevent, prosecute, and eliminate violence against women and girls.

3.22 The Istanbul Convention defines forced marriage as a serious form of violence to which women and girls are exposed. It recommends the criminalisation of conduct forcing a child, boy or girl, to enter into a marriage, as well as luring a child to another country with the intention of marrying the child, against his or her will.[53]

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51 CoE Group of Experts on Action Against Violence Against Women and Domestic Violence, 'Baseline Evaluation Report on Legislative and Other Measures Giving Effect to the Provisions of the CoE Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention): UK' (CoE, 2025) at para 111.
52 CoE Group of Experts on Action Against Violence Against Women and Domestic Violence, 'Baseline Evaluation Report on Legislative and Other Measures Giving Effect to the Provisions of the CoE Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention): UK' (CoE, 2025), at para 186.
53 Article 37, the Istanbul Convention.

3.23 It is important to note that the Bill does not address cases where a child marriage is concluded in a jurisdiction where it was legally permitted but the couple move to NI. It should be noted that certain European Union Member States permit marriage at the age of 16 with parental consent and/or judicial (court) authorisation including Italy[54], Poland[55], and Romania[56]. Similarly, in countries like Niger[57] girls may legally marry from the age of 15 and in Equatorial Guinea[58], where marriage may be authorised from as young as 14 with judicial approval and the involvement of the minor and their guardians. The Bill does not specifically address how such marriages should be treated in NI. The Department and Committee should consider this.

3.24 **The NIHRC welcomes Clause 6, which introduces a broader offence criminalising conduct undertaken for the purpose of causing a child to enter into a marriage before the age of 18.**

3.25 **The NIHRC recommends that the Committee consider the lacuna that will continue to exist in relation to child marriages concluded outside the UK.**

54 Art. 84 Civil Code of the Italian Republic, 1945.
55 Family and Guardianship Code, 1964.
56 Article 272 Romania Civil Code, 2011.
57 Niger Civil Code, 1993.
58 Equatorial Guinea Civil Code 2011.

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