

# 2018 INSIGHT SERIES

## 1. Forced Marriage

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*Victim of forced marriage, India.  
Photo credit: Subrata Biswas/ Hindustan Times*

*“When I was 13, my father arranged my marriage with a 45-year-old man, who promised my family money in exchange for me. I was very unhappy with him, but endured life with him for one year before running back to my home. My father was very angry when I returned. He beat me and yelled at me to return to my husband, but not even his heavy beatings were worse than life with my husband. When I refused to return, my father dug a deep hole in the ground. He forced me into it and began to bury me. I still wonder if he really would have buried me alive if the neighbours hadn’t heard my screaming and stopped him.”*

— 13-year-old victim of forced marriage in Afghanistan<sup>1</sup>

For most people, getting married is a commitment they and their partner have made willingly. While the reasons for entering into marriage have changed over time, for most people it remains a source and symbol of happiness, love, and a strong partnership celebrated by friends and family. As the new Global Estimates of Modern Slavery<sup>2</sup> reveal, this is not the case for an estimated **15.4 million people** living in a forced marriage. For these people, marriage takes on a whole new meaning – one of exploitation, isolation, and lack of sexual and physical autonomy.

While definitions vary, the estimate of ‘forced marriage’ in the Global Estimates of Modern Slavery refers to situations where persons, regardless of their age, have been forced to marry without their consent.<sup>3</sup> A person might be forced to marry through physical, emotional, or financial duress, deception by family members, the spouse, or others, or the use of force and threats. Once forced to marry, many victims experience conditions similar to slavery and are placed at greater risk of being subjected to other forms of exploitation, including sexual exploitation, domestic servitude, and other forms of forced labour. Children are especially vulnerable in these situations.

Despite the long history of such practices around the world, the measurement and scope of research into forced marriage is at an early stage. The recent Global Estimates of Modern Slavery present us with new statistics and insights that can help shape our understanding of the issue and enable urgent action.

### HOW BIG IS THE PROBLEM?

Through national surveys in 48 countries, more than 71,000 respondents were asked whether they or anyone in their immediate family had ever been forced to marry. Even though the concept of consent is a complex one, all those who answered yes to this question were later asked if they consented to that marriage to avoid over-counting. The results are striking.

**In 2016, an estimated 15.4 million people, or two in every 1,000 people, were living in a forced marriage.**

This includes marriages of both adults and children that were reported by the survey respondent to have been forced and without consent, regardless of the age of the respondent.

Due to gaps in available data, not every instance of child marriage is included in the estimates. As such, the Global Estimates should be considered conservative.<sup>4</sup>

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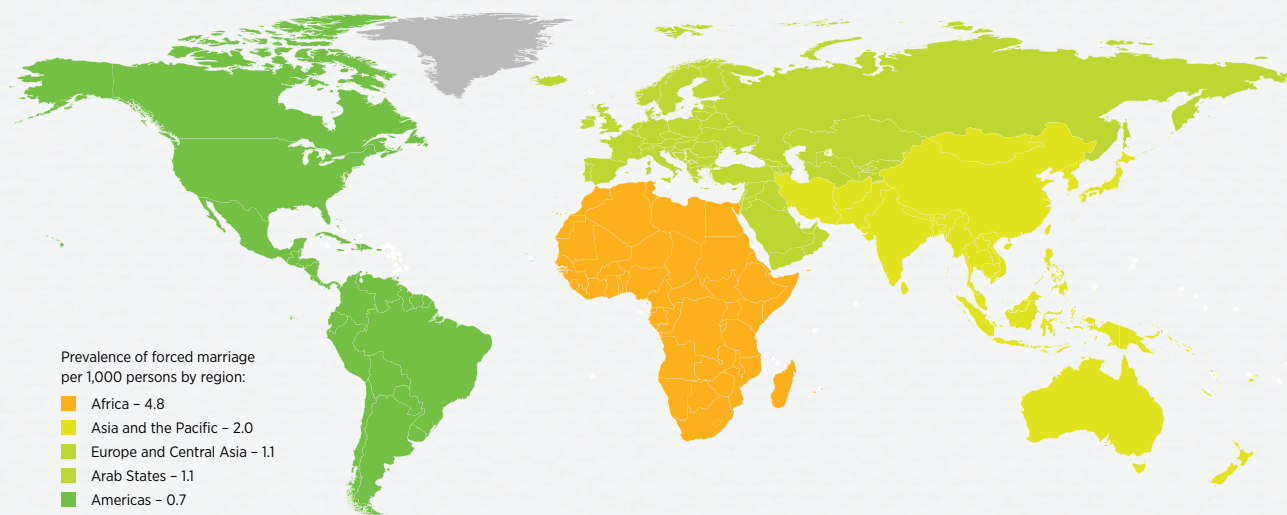


## IT HAPPENS EVERYWHERE

Not surprisingly, victims were identified in every region.<sup>5</sup> These survey findings support reports from UN agencies and NGOs which have long documented examples of forced marriage globally.

Understanding where forced marriage occurs and who it affects is crucial in helping target resources to the areas of high risk and highest need.

DIAGRAM 1: FORCED MARRIAGE ACROSS REGIONS\*



*International Labour Office (ILO) & Walk Free Foundation 2017, Global estimates of modern slavery: Forced labour and forced marriage.*

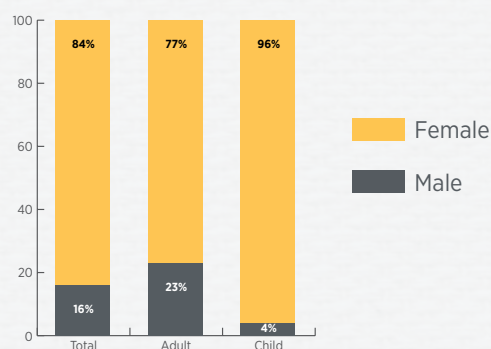
\*The regional figures are important but should be interpreted with care, bearing in mind gaps and limitations of the data, particularly in the Arab States where fewer surveys were conducted, leading to lower prevalence estimates.

## WOMEN AND GIRLS ARE MORE AT RISK

Women and girls are disproportionately affected by forced marriage, accounting for 13 million, or 84 per cent of victims. According to the Global Estimates of Modern Slavery, 37 per cent of all victims of forced marriage were married before their 18<sup>th</sup> birthday. Of these child victims, 96 per cent were girls and 44 per cent were forced to marry before the age of 15 years. The youngest victims in the sample were nine years of age at the time they were forced to marry. Although it was not possible to include all cases of child marriage in the Global Estimates, recent surveys measuring rates of child marriage in three countries (Pakistan, Cambodia, Myanmar) confirm that the estimate of forced marriage would be far higher if all cases of child marriage were included.<sup>6</sup>

DIAGRAM 2: FORCED MARRIAGE BY SEX

Percentage distribution of victims of forced marriage, by sex.



## WHY ARE PEOPLE FORCED TO MARRY?

There are many reasons for forced marriage, some of which are closely linked to longstanding cultural practices and understandings of gender roles, while others reflect far more pragmatic decision making. In some parts of the world, young girls and women are forced to marry in exchange for payment to their families, the cancellation of debt, or to settle family disputes. In some societies, a woman can still be inherited by the brother of her deceased husband and forced marriages may occur when a rapist is permitted to escape criminal sanctions by marrying the victim, usually with the consent of her family.

In countries with significant levels of conflict, the prevalence of forced marriage needs to be examined carefully as women can be abducted by armed groups and forced to marry fighters, enduring sexual, physical, and emotional abuse. Families who are faced with physical and economic insecurity may see forced marriage as a way of alleviating poverty and protecting girls from difficult living conditions.

Forced marriages occur in both developing and developed nations, with women and girls being forced to marry foreign men for cultural reasons, or to secure another person's entry into the country.



## WHAT NEEDS TO BE DONE?

Cultural and belief systems are core drivers of forced marriage. As such, engagement and partnerships with the community are critical in addressing the social, cultural and familial drivers of this practice. Strategies such as those aimed at educating parents<sup>7</sup>, mobilising religious and community leaders to influence people or empowering those at risk<sup>8</sup> have been shown to have an influence on the age of marriage.<sup>9</sup>

These strategies should promote attitude and behaviour change from within the community and take into account gender and generational differences.<sup>10</sup> For example, in Senegal, the Tostan programme is a promising practice in combating female genital mutilation and early marriage, which could also be applied to forced marriage. Targeting both men and women, community based human rights education has led to an increase in the age of marriage. This programme has subsequently been rolled out in Guinea, Guinea-Bissau, Mali, Mauritania and Gambia.<sup>11</sup>

Victim identification and providing victims of forced marriage with holistic support (that includes accommodation, health and financial support) is also vital. These need to recognise that some victims may need to be removed to safety, while others may simply want the pressure to marry to stop or they may want to leave home but remain engaged with their families. For example, in Canada a holistic support system addresses the specific situation of young people who need to be removed from home, to ensure they can re-build their lives with the support of services that meet their basic needs while being given 'sanctuary' from family. This reduces barriers to reporting based on the fear of having to struggle and support themselves alone.<sup>12</sup>

Another promising initiative is the United Kingdom's establishment of a Forced Marriage Unit, providing simple safety advice, assistance for victims to prevent their unwanted spouses moving to their current country of residence and general support to British victims including those who are overseas, through consulates.

While forced marriage is much more than a legal problem to be solved<sup>13</sup>, criminalising forced marriage is a critical step in enabling action and changing mindsets. Accordingly, it is deeply concerning that in 2016 only 31 countries had criminalised forced marriage.<sup>14</sup> In the United States for example, only 8 out of 50 US states plus Washington, DC and the U.S Virgin Islands have specific criminal laws against forced marriage.<sup>15</sup>

In Australia, current policy responses to forced marriage have grown out of the national anti-trafficking in persons response. Access to parts of the system, including visas and support programs where the victim is a foreign national, is only available through engagement with the police. While law enforcement has an important role to play in responding to forced marriage, policies and programs that assume that forced marriage is first and foremost a law enforcement issue will often fail to meet the needs of victims. For example, some victims will not want to report their parents or relatives to the police.<sup>16</sup> A recent examination of forced marriage policies in seven countries has emphasised the importance of a flexible approach, de-coupled from law enforcement, that recognises victims of forced marriage may need support and services from across family violence, education and child protection systems.<sup>17</sup>

## NEXT STEPS

With 15.4 million people living in a forced marriage, it is time we act to end these practices with appropriate policy and practical responses. Ending forced marriage requires a multi-pronged approach that includes normative and systematic change within society, along with legal change. Understanding complex drivers that include gender, cultural and religious norms behind this practice is vital in making sure interventions are adapted accordingly. This will require challenging discriminatory systems and cultural norms that only assign value to women as wives, mothers and caretakers.<sup>18</sup>

Highly gendered patterns of forced marriage point to important areas of intervention whether for reducing vulnerability or increasing protections for those girls and women most at risk. At the same time, as men and boys can still be affected by forced marriage, it is critical that preventative efforts reflect this risk and national laws and responses to victimization make allowance for male victims.

Strategies must be context specific. For countries such as the USA who have traditionally led in combatting modern slavery, efforts should prioritise criminalising forced marriage. Yet, for other countries impacted by ongoing conflict or extreme poverty, addressing these root causes is itself critical to reducing forced marriage.

Lastly, further research is needed to improve our understanding of forced marriage in different cultural contexts and the impact of criminalization and other responses to reduce its occurrence.



## Endnotes

- <sup>1</sup> Hagar International 2014, *Shahida's Incredible Strength*, Hagar International. Available from: <http://hagarstage.com/australia/shahidas-incredible-strength/>
- <sup>2</sup> International Labour Organization and Walk Free Foundation, *Global estimates of modern slavery: Forced labour and forced marriage*, (Global Estimates of Modern Slavery) 2017, [http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms\\_575479.pdf](http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms_575479.pdf)
- <sup>3</sup> For the purposes of these estimates, the measurement of forced marriage is limited to what was captured by the surveys. That is, forced marriage in these estimates includes all marriages of both adults and children that were reported by the survey respondent to have been forced and without consent, regardless of the age of the respondent. Accordingly, the estimates do not include every instance of child marriage, as child marriage is not currently measured adequately at the scale or specificity required for a global estimate. See further, pages 17 and 46, *Global Estimates of Modern Slavery*.
- <sup>4</sup> Conceptually, child marriage is forced marriage, given that one and/or both parties has not expressed full, free and informed consent. See further 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, 14 November 2014 (CEDAW/C/GC/31-CRC/C/GC/18). However, exceptions do exist with many countries allowing 16 and 17-year olds to marry following a judicial ruling or parental consent. See further, pages 17 and 46, *Global Estimates of Modern Slavery*.
- <sup>5</sup> The prevalence of forced marriage was highest in Africa followed by the Asia and the Pacific region. It is important to note differences across regions in data availability as they have an impact on these findings. For example, despite numerous reports of forced marriage in Central Asia and the Arab region, few surveys on the issue have been conducted there so the regional distribution should be interpreted with caution.
- <sup>6</sup> Diego-Rosell, P & Joudo Larsen, J 2017, 'Child Marriage Rates in Pakistan, Myanmar and Cambodia', Available from: <http://news.gallup.com/opinion/gallup/221000/child-marriage-rates-pakistan-myanmar-cambodia.aspx>
- <sup>7</sup> Family Support Institute (FASI) Kenya 2012, *Tostan Pilot Project on "Ending FGM/C" in Northwest Zone and Northeast Zone of Somalia*, FASI. Available from: [https://www.unicef.org/evaldatabase/files/120830-sk-Tostan\\_Very\\_final\\_Report\\_combined\\_Northwest\\_and\\_Northeast\\_Zones.pdf](https://www.unicef.org/evaldatabase/files/120830-sk-Tostan_Very_final_Report_combined_Northwest_and_Northeast_Zones.pdf)
- <sup>8</sup> Bailey, C 2017, *Her Freedom, Her voice*, The Freedom Fund, p.16, Available from: [http://freedomfund.org/wp-content/uploads/FF\\_WOMENANDGIRLS.pdf](http://freedomfund.org/wp-content/uploads/FF_WOMENANDGIRLS.pdf)
- <sup>9</sup> Erulkar, A & Muthengi, E 2007, *Evaluation of Berhane Hewan: A pilot program to promote education & delay marriage in rural Ethiopia*, Population Council. Available from: <https://www.globalgiving.org/pfil/2545/projdoc.pdf>
- <sup>10</sup> Vidal, L 2017, 'Developing Innovative, Best Practice Solutions to Address Forced Marriage in Australia', Churchill Trust, Available from: [https://www.churchilltrust.com.au/media/fellows/Vidal\\_L\\_2016\\_Solutions\\_to\\_addressing\\_forced\\_marriage\\_in\\_Australia.pdf](https://www.churchilltrust.com.au/media/fellows/Vidal_L_2016_Solutions_to_addressing_forced_marriage_in_Australia.pdf)
- <sup>11</sup> Sourced from Promising Practices Database, Walk Free Foundation. Available from: <https://www.walkfreefoundation.org/news/resource/promising-practices/>
- <sup>12</sup> Vidal, L 2017, 'Developing Innovative, Best Practice Solutions to Address Forced Marriage in Australia', Churchill Trust, p.54, Available from: [https://www.churchilltrust.com.au/media/fellows/Vidal\\_L\\_2016\\_Solutions\\_to\\_addressing\\_forced\\_marriage\\_in\\_Australia.pdf](https://www.churchilltrust.com.au/media/fellows/Vidal_L_2016_Solutions_to_addressing_forced_marriage_in_Australia.pdf)
- <sup>13</sup> A point aptly made in Vidal, L 2017, 'Developing Innovative, Best Practice Solutions to Address Forced Marriage in Australia', Churchill Trust, Available from: [https://www.churchilltrust.com.au/media/fellows/Vidal\\_L\\_2016\\_Solutions\\_to\\_addressing\\_forced\\_marriage\\_in\\_Australia.pdf](https://www.churchilltrust.com.au/media/fellows/Vidal_L_2016_Solutions_to_addressing_forced_marriage_in_Australia.pdf)
- <sup>14</sup> Sourced from review of Government Responses data, Global Slavery Index, [www.globalslaveryindex.org/data](http://www.globalslaveryindex.org/data)
- <sup>15</sup> Tahirih Justice Center 2016, 'National Consultation: Should Forced Marriage be a crime in the United States?', Available from: [http://preventforcedmarriage.org/wp-content/uploads/2017/04/Consultation-Summary-Report\\_Final.pdf](http://preventforcedmarriage.org/wp-content/uploads/2017/04/Consultation-Summary-Report_Final.pdf)
- <sup>16</sup> Vidal, L 2016, 'Forced Marriage is happening in Australia and we need to do something about it', *Huffpost*, 15 July. Available from: [http://www.huffingtonpost.com/au/lauravidalau/forced-marriage-is-happening-in-australia-and-we-need-to-do-something-about-it\\_b\\_9405022.html](http://www.huffingtonpost.com/au/lauravidalau/forced-marriage-is-happening-in-australia-and-we-need-to-do-something-about-it_b_9405022.html)
- <sup>17</sup> Vidal, L 2017, 'Developing Innovative, Best Practice Solutions to Address Forced Marriage in Australia', Churchill Trust, Available from: [https://www.churchilltrust.com.au/media/fellows/Vidal\\_L\\_2016\\_Solutions\\_to\\_addressing\\_forced\\_marriage\\_in\\_Australia.pdf](https://www.churchilltrust.com.au/media/fellows/Vidal_L_2016_Solutions_to_addressing_forced_marriage_in_Australia.pdf)
- <sup>18</sup> See for example: Bailey, C 2017, *Her Freedom, Her Voice*, Freedom Fund, p.16. Available from: [http://freedomfund.org/wp-content/uploads/FF\\_WOMENANDGIRLS.pdf](http://freedomfund.org/wp-content/uploads/FF_WOMENANDGIRLS.pdf)