

# Local governments fight against forced marriage

## INTRODUCTION

The International Observatory of Violence against Women (↳[OIVF](#)) presents in this factsheet theoretical thematic elements to understand the impact of violence against women in the public space, while sharing practical examples of local governments to combat them, with the aim of encouraging other territories to adopt them and take measures against this kind of violence.

## Forced marriage: understanding the scope and danger for girls and women

A forced marriage is a union in which the agreement of at least one of the two parties could not be given in a free and informed manner. It can be a civil marriage, a customary marriage, a religious marriage and/or a combination of different statuses. Different means can be used to coerce the victim: **imposing the marriage on her, but also limiting the choice of spouse, forcing her to marry a specific person or a member of a specific group (same ethnicity, religion)**. Girls and women are victims of all forms of violence (psychological, sexual, physical and intimate) to force them to comply. Coercion is also used when it comes to **people who are too young to express their refusal or informed consent**, which includes **early marriages (before adulthood) in the general category of forced marriage**.

Regardless of the degree of coercion exerted on the victim, forced marriage breaks **people's independence in choosing their partner and in their sexual life**.

According to ↳[UNICEF](#):

- 650 million girls and women alive today were married before the age of 18. This is 1 in 5 young women in the world;
- 7.5 million youths are married every year;
- In sub-Saharan Africa, 34% of women are married before the age of 18. This proportion exceeds 50% in several countries in this region of the world;
- The danger of forced marriage also affects girls and women in other regions of the world because some families, coming from communities where there is a strong practice of forced marriage and control over the sexual life of girls, can reproduce this violence outside any traditional territory.

Forced and early marriage is condemned by several instruments of international law, including:

- The [Convention on the Rights of the Child](#) (CRC) 1989;
- The [United Nations Declaration on the Elimination of Violence against Women](#) 1993;
- The [African Charter on the Rights and Welfare of the Child](#) 1990 (African Union)

## The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) 1979 (Article 16, paragraph 2):

“The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.”

According to the [Convention](#) of the Council of Europe on preventing and combating violence against women and domestic violence of 11 May 2011, “**culture, custom, religion, tradition or so-called ‘honour’**” do not justify such actions. Marriage should be based on **free and voluntary consent of the spouses**.

## Universal Declaration of Human Rights, 1949, article 16, paragraph 2:

“Marriage shall be entered into only with the free and full consent of the intending spouses.”

Forced marriage is a **serious violation of human rights and disproportionately affects women and girls**. Unlike men, when forced into marriage, women and girls see all their fundamental rights deeply impacted throughout their lives: the right to education, work, health, justice, land, freedom of movement. They are also exposed to rape and domestic violence, as well as intra-family violence.

## Forced marriage: what violence and consequences does it involve for women and girls?

Forced marriage is part of a continuum of violence. In order to make victims yield, families **first resort to violence**. As with intimate-partner violence, we find elements of the **aggressor’s strategy to weaken the victim’s means of resistance**: devaluing her, isolating her, reversing her guilt in relation to the violence exercised by the family, establishing a climate of terror, and recruiting allies to establish the legitimacy of the family’s decision and his impunity for the violence committed.

Once a forced marriage is arranged, violence against the victim continues within the marital and family home, particularly through the spouse's family.

### Violence before forced marriage: breaking the will of girls

- Verbal and psychological violence
- Physical violence
- Sexual violence, harassment
- Female genital mutilation
- Control of social life and harassment
- Unschooling
- Administrative violence
- Leaving the labour market, economic violence
- Femicide: "so-called honour crimes" that involve murdering the victim who rejects forced marriage and already has a boyfriend.

### Violence after marriage

- Rape and sexual abuse by the unchosen spouse
- Intimate-partner violence
- Intra-family violence, particularly through in-laws
- Economic violence, domestic exploitation, slavery
- Forced pregnancy, control of reproductive sexual life
- Femicide: dowry crimes or spousal femicide

**This violence builds up before and after forced marriage and has a disastrous impact on the health and physical and mental integrity of the victims and their children.**

Many countries where early and/or forced marriage occurs have national laws prohibiting marriage before legal age or without the express informed consent of both parties. However, resistance within societies sometimes renders these protective laws ineffective. **It is essential for local and regional governments to get involved in raising awareness and informing people, identifying and protecting girls at risk of forced marriage and thus enabling the application of laws at the local level.**

**Local governments must measure the scope of the phenomenon at this level, highlight this violence and get involved in preventing situations of risk.**

## LOCAL GOVERNMENTS TAKE ACTION

### Study on forced marriage – Seine-Saint-Denis Departmental Council, France

The Observatory of Violence against Women has studied the path of young women protected from forced marriage. Their findings show that statistically they are more exposed to violence than other young women: more than half have suffered physical violence

(compared to 23% of the total population) and a third sexual violence (compared to 14%). Thus, the main common denominator of families that have tried to forcibly marry their daughters is that they are families where violence is exercised against children.

## LOCAL GOVERNMENTS TAKE ACTION

### Digital data collection platform, Network of Locally Elected Women in Africa (REFELA Gambia)

↳ **REFELA Gambia**, in collaboration with national stakeholders, participates in a working group to harmonise and modernise the civil registry through a national digital platform. This initiative aims to centralise and digitise biometric data for civil acts, including marriages and births. REFELA

Gambia stressed that by integrating biometric data such as fingerprints or photographs, the platform will enable the relevant authorities, including religious leaders in charge of performing marriages, to reliably and transparently verify the age of prospective spouses.



## Training professionals: a priority to prevent forced marriage

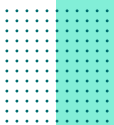
Education, civil service or health professionals in contact with girls and women are the first to help with identification. Certain signs to look out for help to identify dangerous situations such as a girl dropping out of school, the time of year that is favourable for weddings and/or trips abroad, symptoms of discomfort, injuries, a significant age difference between the two “spouses” or the fact that the future spouses do not know each other and sometimes do not speak the same language. If a danger is identified, professionals must be able to call on services capable of protecting these girls and women.

## LOCAL GOVERNMENTS TAKE ACTION

### Training of Mayors and cadis on the dangers of forced marriage – Ngazidja, Comoros

The Ngazidja Observatory of Violence against Women and Minors, in collaboration with the National Association of Mayors of the Comoros (ANM), organised a training session to raise awareness among mayors and cadis about the dangers of forced marriage, especially for girls. This initiative aims to strengthen the application of

community and legal law, highlighting the need to ensure informed consent and respect for the legal age during religious or customary marriages. This training highlighted the complex challenges of harmonising standards of judicial law, which set a minimum age for marriage, with traditional community and family practices.



# Constructing a local response to protect victims at risk of forced marriage

Depending on the level of danger and the family's determination, their protection may require breaking away from the aggressor's community. Mediation in a context of violence does not protect the victim; on the contrary, it can expose her to retaliation and reactivate her feelings of guilt. Comprehensive care programmes make it possible to respond to urgent needs and then safely support victims towards independence.

## **Prevention, reducing forced marriage and transforming societies at the local level to ensure a culture of equality between men and women**

International texts differentiate between **traditional practices that are safe** for women and **harmful traditional practices**, such as child marriage and forced marriage, which violate the integrity and fundamental rights of female victims.

People need to be informed about the physical and social impact of forced and early marriage and develop awareness of a culture of equality between women and men. The role of local governments, which are the level closest to citizens, is essential to enable the eradication of practices that are dangerous to women's lives.

## **Local governments can get involved in this initiative and promote a traditional culture protective of girls and women.**

### LOCAL GOVERNMENTS TAKE ACTION

## Awareness-raising campaigns in rural areas – Network of Locally Elected Women in Africa (REFELA), Chad

Through specific REFELA Chad actions carried out in the 42 rural municipalities, local governments have informed the population about the dangers and consequences of forced and early marriage. These educational actions aim to raise

awareness among local communities about the importance of respecting the legal minimum age for marriage, set at 18, and about the severe penalties provided for in the event of non-compliance with this law.



And you, what are you doing on a local level? Tell us about your experience!

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