

22 October 2018

Dear District Advocacy Chairs of the European Districts, copy to the District Governors of the European Districts,

As we approach the Zonta Says NO-Campaign and get more and more involved in the topic “Ending Child Marriage”, I feel that we know more about this human rights violation in the high prevalence countries around the world than in our European countries. This may also lead to the impression of Zontians, who told me recently, that in European countries legislation is taking care of this human rights violation and that child marriage is not really an issue.

Yes, it is! Not in the gravity like in African and some Asian countries, but it is there, and if we want to advocate for women’s rights effectively, we have to gain more knowledge about this harmful practice in our own countries.

Please find below some information on the Council of Europe and how Europe’s leading human rights organization is tackling this problem. You will also find some suggestions on what Zontians and clubs can do to combat early and forced marriage using the CoE Istanbul Convention as a concrete advocacy tool.

### **Want Gender Equality? Let’s start with Ending Child Marriages!**

This was the call for action on the International Day of the Girl Child on 11 October this year by the global community. Worldwide, around 15 million - or one in three – girls are annually subject to child marriage, often forced or coerced. The life-changing impact child marriage has on a girl is immense: **poverty, domestic violence, lack of access to education, sexual abuse and severe physical health risks by early pregnancies.**

For us in Zonta, Ending Child Marriage is at the core of our mission to advocate for women’s rights. It is the major international topic for the 2018-2020 biennium and will be highlighted in the Zonta says NO-Campaign as well as in the Zonta International ZISVAW program “Ending Child Marriage – A Program to Accelerate Global Action”. Thus the topic on combating early marriage will run like a golden thread through our advocacy efforts as well as through our fundraising efforts and will raise awareness of this severe human rights violation.

## What do European Zontians need to know to fight child/early marriage effectively through our Zonta Says No-Campaign ?

We have to be aware that child marriage and forced marriage is also happening in our developed world and not only an issue of a severe human's right violation in African or Asian countries. Even if this harmful practice is prevailing on a much lower base and not in those pandemic dimensions.

All countries in Europe are affected, whether in the form of forced marriages concluded in Europe, forced marriages of European nationals or residents concluded elsewhere or persons forced to marry before arriving in Europe, that is to say in European countries forced and early marriage is more common among immigrant communities, migrants and ethnic minorities.

### How is the Council of Europe (CoE) tackling the problem in its Member States?

**International standards** to prevent and combat forced marriages have existed for a long time (e.g. UN Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages 1962, UN Convention on the Elimination of All Forms of Discrimination against Women, CEDAW 1980). However, the more recent CoE Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) moreover defines forced marriage as a **form of violence** and calls on States Parties to **criminalize such marriages**.

The Istanbul Convention (adopted in 2011) has come into force in 2014, and is covering early and forced marriage as one of the many violations against women and girls.

33 Member States (from 47) have ratified the Convention so far. 12 Member States have signed.  
<https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty>

- The Istanbul Convention recognizes early and forced marriage as a **serious form of violence against women and a form of gender-based violence**.
- The Istanbul Convention and other CoE Recommendations and Resolutions to Member States are calling for legally-binding standards on preventing and protecting against early and forced marriage and on prosecuting this human right's violation as an **independent criminal offence**.
- The CoE recognizes early and forced marriage as a **violation of fundamental rights** as laid down in the European Convention on Human Rights (1950).
- The CoE recognizes that early and forced marriage violates, in particular, the right to personal security and integrity, to physical and mental health and well-being, the right to sexual and reproductive health and the right to have access to education and intellectual development. **Such violations cannot be justified on grounds of respect for cultural traditions, customs or religious beliefs.**

Even if in the CoE Member States the statutory minimum age to get married is 18,

- judicial and /or parental exceptions to child marriage restrictions are still provided by some states
- a specific criminal offence provision is lacking in legislation in some countries

- law enforcement to prosecution is not always implemented
- a lack of support-structure and protection program aimed to assist victims and help them to deal with the “conflict of loyalties” discourage victims from reporting cases (e.g. telephone hotline, counselling centers, shelters)
- this also negatively affects the prosecution as victims are not helped taking awareness of their situation
- detailed training is not provided nationwide for professionals working in the social and education services, for the police, the justice and the health-care system
- a lack of national data collection and/ or not reliable data on early and forced marriage are obstacles in tackling the problem efficiently

**Child marriage** is defined as the union of two persons, at least one of whom is under 18 years of age. There is a **close link between forced marriage and child marriage** due to the inability of children to give their free and full consent to marry and there is an inter-relation between **forced marriage and the trafficking in human beings** when victims seeking a job opportunity are instead lured into forced marriage. A marriage in which at least one of the parties is **not free to put an end to the marriage** or to leave his or her spouse is also a forced marriage.

#### What can Zonta clubs do ?

- Educate yourself with the **Istanbul Convention** and its requirements, urge your government to ratify the Convention, if they have not yet done so and to implement missing provisions and policies (see above) to prevent, protect and prosecute this harmful crime
- Check out the situation of forced and early marriage in your country
- It may be helpful to find out if the Group of Experts **GREVIO** and the Committee of the Parties of the Istanbul Convention have monitored your country by a country visit and with what possible results on forced and early marriage  
<https://www.coe.int/en/web/istanbul-convention/newsroom>
- Look for other grass-root organizations and counselling services who may have valid statistics and experience in this field and may join forces with your club, support their initiatives
- Get educated on the **national legislation**:
  1. Urge your government to **specifically criminalize the conduct forcing an adult or a child to enter into a marriage**, as well as **luring the victim abroad** for the purpose of forcing him or her to enter a marriage
  2. Urge your government **to provide for effective sanctions and provisions** against the perpetrators and those who aid, abet or attempt to commit such offences
  3. Urge your government to prohibit **without exception** child marriage and abolish differences between girls and boys in terms of minimum age of marriage
  4. Urge your government to take measures to ensure that **forced marriage** may be annulled or dissolved, also those **contracted abroad**
- Urge your government to run information campaigns **educating students at school and the public** about the culture and tradition related practices of forced marriage including so called “honor crimes”

- Raise awareness and influence public opinion by organizing **lectures on women's rights and early and forced marriage**, highlighting gender stereotypes and the cascade of negative impacts on women and girls, nationally and internationally
- Educate your club members on this violation to encourage and engage them to effectively advocate for women's rights and for ending child marriage
- Look into the specific situation in your communities of immigrants, refugees and minorities

This action list provides some ideas but is not exhaustive.

### **The global perspective on Child Marriage**

Ending child marriage by 2030 – preventing over 300 million girls of becoming brides! Zonta is part of this ambitious goal, vowed for under the UN Sustainable Development Goals (Goal No 5) by world leaders in 2015. The Council of Europe supports the Sustainable Development Goals and encourages all CoE Member States to make an active contribution to the implementation of those goals.

Dear Zontians, as global advocates for women's rights we have to see that we can provide action to prevent early and forced marriage at national level as well as through our activities at international level. Therefore – profound knowledge about child and forced marriage, nationally and internationally, is an important precondition to do so effectively. The CoE Istanbul Convention provides the useful tool to do so.

Power Point Presentations on the Istanbul Convention you will find on the ZI website/MyZonta/Tools/CoE tools and more information on the CoE website:

<https://www.coe.int/en/web/istanbul-convention/home?%2520>

I hope this short survey into the Council of Europe's goal to combat early and forced marriage will motivate you to look further into this human rights violation from the European perspective as well as from the global perspective.

Wishing you a very successful Zonta Says NO-Campaign by combating early and forced marriage and by creating awareness of this severe human rights violation.

Thank you very much for advocating for women's rights and for empowering women and girls. Ending child marriage is the first step in this direction.

Warm regards

Anita