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**Towards an EU external strategy against early and forced marriages****European Parliament resolution of 4 July 2018 Towards an EU external strategy against early and forced marriages — next steps (2017/2275(INI))**

(2020/C 118/07)

*The European Parliament,*

- having regard to its resolution of 4 October 2017 on ending child marriage <sup>(1)</sup>,
- having regard to the Universal Declaration of Human Rights, and, in particular, Article 16 thereof, and all other UN treaties and instruments concerning human rights,
- having regard to Article 23 of the International Covenant on Civil and Political Rights,
- having regard to Article 10(1) of the International Covenant on Economic, Social and Cultural Rights,
- having regard to the UN Convention on the Rights of the Child, adopted by the UN General Assembly on 20 November 1989, and its four fundamental principles of non-discrimination (Article 2), the best interests of the child (Article 3), survival, development and protection (Article 6) and participation (Article 12), and having regard to its resolution of 27 November 2014 on the 25th anniversary of the UN Convention on the Rights of the Child <sup>(2)</sup>,
- having regard to Article 16 of the UN Convention on the Elimination of All Forms of Discrimination against Women,
- having regard to the UN Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages,
- having regard to the UN General Assembly resolutions of 18 December 2014 and 19 December 2016 on child, early and forced marriage,
- having regard to the UN Human Rights Council's resolution 29/8 of 2 July 2015 on Strengthening efforts to prevent and eliminate child, early and forced marriage, its resolution 24/23 of 9 October 2013 on Strengthening efforts to prevent and eliminate child, early and forced marriage: challenges, achievements, best practices and implementation gaps and its resolution 35/16 of 22 June 2017 on Child, early and forced marriage in humanitarian settings,
- having regard to the position adopted by the Conference of Heads of State and Government of the African Union in June 2015 on child marriage, in Johannesburg (South Africa),
- having regard to the Joint General Comment of the African Commission on Human and Peoples' Rights (ACHPR) and the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) on Ending Child Marriage,

<sup>(1)</sup> Texts adopted, P8\_TA(2017)0379.

<sup>(2)</sup> OJ C 289, 9.8.2016, p. 57.

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- having regard to Articles 32, 37, and 59(4) of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention),
  - having regard to the UN Population Fund (UNFPA) Report of 2012 entitled 'Marrying Too Young — End Child Marriage',
  - having regard to Article 3 of the Treaty on European Union,
  - having regard to the Charter of Fundamental Rights of the European Union, and, in particular, Article 9 thereof,
  - having regard to the Council conclusions of 26 October 2015 on the Gender Action Plan 2016-2020,
  - having regard to the Council conclusions of 3 April 2017 on the promotion and protection of the rights of the child,
  - having regard to the fundamental principles laid down in the 2016 European External Action Service communication on a Global Strategy for the European Union's Foreign and Security Policy,
  - having regard to the EU Strategic Framework and Action Plan on Human Rights and Democracy, adopted by the Council on 25 June 2012 <sup>(1)</sup>; having regard to the Action Plan on Human Rights and Democracy 2015-2019, adopted by the Council on 20 July 2015 <sup>(2)</sup>; having regard to the joint staff working document of the Commission and of the High Representative of the Union for Foreign Affairs and Security Policy of 27 June 2017 entitled 'EU Action Plan on Human Rights and Democracy (2015-2019): Mid-Term Review — June 2017' (SWD(2017)0254),
  - having regard to the revised EU guidelines for the promotion and protection of the rights of the child of 6 March 2017 entitled 'Leave No Child Behind',
  - having regard to the European Consensus on Development of 7 June 2017, which underscores the EU's commitment to mainstreaming human rights and gender equality in line with the 2030 Agenda for Sustainable Development,
  - having regard to Rule 52 of its Rules of Procedure,
  - having regard to the report of the Committee on Foreign Affairs and the opinion of the Committee on Women's Rights and Gender Equality (A8-0187/2018),
- A. whereas child, early and forced marriages are a serious violation of human rights and, in particular, women's rights, including the rights to equality, autonomy and bodily integrity, access to education and freedom from exploitation and discrimination, and are a problem that exists not only in third countries, but might also occur in some Member States; whereas eliminating these practices is one of the priorities for the EU's external action in the field of promoting women's rights and human rights; whereas various international charters and laws prohibit the marriage of minors such as the UN Convention on the Rights of the Child and its Optional Protocols; whereas child, early and forced marriages have an extremely negative impact on the physical and mental health and personal development of the individuals concerned and on the children born from the marriages, and, as a result, on society as a whole; whereas child marriage is a form of forced marriage since children inherently lack the ability to give their full, free and informed consent to their marriage or its timing; whereas children represent part of a highly vulnerable group;

<sup>(1)</sup> [https://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/EN/foraff/131181.pdf](https://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/131181.pdf)

<sup>(2)</sup> [https://eeas.europa.eu/sites/eeas/files/eu\\_action\\_plan\\_on\\_human\\_rights\\_and\\_democracy\\_en\\_2.pdf](https://eeas.europa.eu/sites/eeas/files/eu_action_plan_on_human_rights_and_democracy_en_2.pdf)

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- B. whereas the EU is committed to promoting the rights of the child, and whereas child, early, and forced marriages are a violation of these rights; whereas the EU is committed to comprehensively protecting and promoting the rights of a child in its external policy;
- C. whereas no marriage shall be legally entered into without the full and free consent of both parties, and by any person under a minimum age for marriage;
- D. whereas child marriage is a global problem which cuts across countries, cultures and religions; whereas child brides can be found in all regions of the world, from the Middle East to Latin America, from Asia to Europe and from Africa to North America; whereas child marriage also affects boys, but to a much lesser extent than girls;
- E. whereas, to date, more than 750 million women have married before the age of 18, of whom 250 million were married before the age of 15; whereas there are currently around 40 million girls between the ages of 15 and 19 who are married or cohabiting; whereas, every year, some 15 million more get married before the age of 18, of whom 4 million get married before the age of 15; whereas 156 million boys have also married before the age of 18, of whom 25 million were married before the age of 15; whereas child, early and forced marriages are more frequent in poor, underdeveloped regions; whereas the number of child, early and forced marriages is increasing as the global population grows; whereas a recent UNICEF report estimates that, in 2050, around 1,2 billion girls will have married before the age of 18; whereas nine out of 10 countries with the highest child marriage rates are classified as fragile states;
- F. whereas the root causes of child marriage are, in general, poverty, lack of education, deep-rooted gender inequalities and stereotypes, the perception that marriage will provide 'protection', family honour and the lack of effective protection of the rights of boys and girls as well as harmful practices, perceptions, customs, and discriminatory norms; whereas these factors are often exacerbated by limited access to quality education and job opportunities and are reinforced by certain entrenched social standards of child, early and forced marriages;
- G. whereas child, early and forced marriages are linked to a high risk of early and unwanted pregnancies, high rates of maternal and child mortality, lower use of family planning and unwanted pregnancies with increased health risks, inadequate or non-existent access to information about sexual and reproductive health services and usually signal the end of a girl's education; whereas some countries even prohibit pregnant girls and young mothers from returning to the classroom; whereas child marriage can also lead to forced labour, slavery, and prostitution;
- H. whereas, although the UN Convention on the Rights of the Child emphasises the importance of measures that encourage regular school attendance, many girls are not in education due to a number of factors, for example because schools are inaccessible or expensive; whereas child, early and forced marriages have a disproportionate devastating impact and lifelong consequences for their victims and very often deprive the persons concerned of the possibility of continuing their studies as girls tend to drop out of school during the preparatory time before a marriage or shortly afterwards; whereas education, including sex education, is an effective way of preventing child, early and forced marriages because access to education and training contributes to empowerment, employment opportunities and promotes freedom of choice, the right to self-determination and active participation in society enabling individuals to free themselves from any form of control adversely affecting their rights without which the economic, legal, health and social situation of women and girls and the development of society as a whole continues to be hampered;
- I. whereas, every year, 17 million children have a child, forcing them to take on adult responsibilities and endangering their health, education and economic prospects; whereas child, early and forced marriages expose girls to early childbearing involving considerable risks and difficulties during pregnancy and childbirth, particularly owing to highly inadequate or non-existent access to medical support, including high-quality health centres, frequently resulting in maternal mortality and morbidity; whereas there is an increased risk of contracting transmitted infections including HIV; whereas complications in pregnancy and childbirth are the leading cause of death in girls aged 15 to 19 in low- and middle-income countries; whereas the mortality rate of babies born to adolescent mothers is around 50 % higher and

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these babies have a higher risk of physical and cognitive development problems; whereas the experience of frequent and early pregnancies may also cause a range of long-term health complications, and even death;

- J. whereas child, early and forced marriages are a violation of the rights of the child and a form of violence against girls and boys, and whereas, as such, states have an obligation to investigate allegations, prosecute perpetrators and provide redress to the victims, who are primarily women and girls; whereas these marriages must be condemned and cannot be justified on any cultural or religious grounds; whereas child, early and forced marriages increase the risk of gender-based violence, and are often at the origin of domestic and intimate partner violence and sexual, physical, psychological, emotional and financial abuse and other practices harmful to girls and women, such as female genital mutilation and so-called honour crimes, as well as increasing the risk of girls and women being exposed to discrimination and gender-based violence during their lives;
- K. whereas the number of child, early and forced marriages increases significantly in situations of instability, armed conflict and natural and humanitarian disasters, during which medical and psychological care or access to education as well as opportunities to make a livelihood are often lacking and social networks and routines are disrupted; whereas during the recent migration crises, some parents, seeking to protect their children, especially daughters, from sexual aggression, or because they are regarded as a financial burden on their families, feel they have no choice but to have them marry before the age of 18 in the belief that it could provide a route out of poverty;
- L. whereas the Istanbul Convention classifies forced marriage as a form of violence against women, and calls for the acts of forcing a child to enter into a marriage and of luring a child abroad with the purpose of forcing her or him to enter into a marriage to be criminalised; whereas the lack of access by victims to legal, medical, and social support can exacerbate the issue; whereas 11 EU Member States have yet to ratify the convention;
- M. whereas the nature of child, early or forced marriages means many cases often go unreported, with cases of abuse crossing international borders and cultural boundaries, and can amount to a form of human trafficking, leading to slavery, exploitation, and/or control;
- N. whereas in July 2014 the first Girl Summit, aimed at mobilising domestic and international efforts to end female genital mutilation and child, early and forced marriages within a generation, took place in London;
- O. whereas preventing and responding to all forms of violence against girls and women, including child, early and forced marriages, is one of the targets of the EU Gender Action Plan 2016-2020;
- P. whereas child marriage will cost developing countries trillions of dollars by 2030 <sup>(1)</sup>;
- Q. whereas early and child marriages remain a taboo subject which needs to be addressed publicly so as to put an end to the daily suffering of the young and adolescent girls involved and the continuous violation of their human rights; whereas one way of doing so would be to support and disseminate the work of journalists, artists, photographers and activists addressing the issue of early marriages;

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<sup>(1)</sup> Wodon, Quentin T.; Male, Chata; Nayihouba, Kolobadia Ada; Onagoruwa, Adenike Opeoluwa; Savadogo, Aboudrahyme; Yedan, Ali; Edmeades, Jeff; Kes, Aslihan; John, Neetu; Murithi, Lydia; Steinhaus, Mara; Petroni, Suzanne, *Economic Impacts of Child Marriage: Global Synthesis Report*, Economic Impacts of Child Marriage, Washington, D.C., World Bank Group, 2017.

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1. Notes that some EU Member States allow marriage at 16 years with parental consent; calls on legislators, both in the EU Member States and in third countries, to set the minimum uniform age for marriage at 18 years and to adopt necessary administrative, legal and financial measures to ensure effective implementation of this requirement, for example by promoting the registration of marriages and births and by ensuring that girls have access to institutional support mechanisms including psycho-social counselling, protection mechanisms and opportunities for economic empowerment; reiterates that child, early and forced marriages should be regarded as a serious violation of human rights and an infringement of the fundamental rights of the children concerned, first and foremost of the right to freely express their consent and the right to their physical integrity and mental health, but also indirectly of the right to education and to the full enjoyment of civil and political rights; condemns child, early and forced marriages and considers that any infringement of legislation should be addressed in a proportionate and effective manner;

2. Believes it is important to tackle the multiple causes of child, early and forced marriages, including harmful traditions, endemic poverty, conflicts, customs, consequences of natural disasters, stereotypes, a lack of regard for gender equality and women's and girls' rights, health and well-being, the lack of appropriate educational opportunities, weak legal and policy responses with special attention to children from disadvantaged communities; calls, in that regard, for the EU and its Member States to work together with the relevant UN bodies and other partners to draw attention to the issue of child, early and forced marriage; calls for the EU and Member States to meet the objectives of the 2030 Sustainable Development Agenda to combat harmful practices, such as female genital mutilation, more effectively and to hold those responsible to account; supports increased funding from the EU and its Member States via development aid mechanisms which promote gender equality and education, in order to improve access to education for girls and women and strengthen opportunities for them to participate in community development and in economic and political leadership, with a view to addressing the causes of child, early and forced marriages;

3. Recognises that a statutory ban on child, early and forced marriages by itself would not guarantee an end to these practices; calls for the EU and its Member States to better coordinate and strengthen the enforcement of international treaties, legislation and programmes, as well as via diplomatic relations with governments and organisations in third countries, in order to address issues related to child, early and forced marriages; calls for every effort to be made to enforce statutory bans and complement them with a broader set of laws and policies; recognises that this requires the adoption and implementation of comprehensive and holistic policies, strategies and programmes, including the repeal of discriminatory legal provisions concerning marriage and the adoption of affirmative measures to empower girl children;

4. Notes that gender inequality, the lack of respect for girls and women in general and adherence to cultural and social traditions which perpetuate discrimination against girls and women are among the biggest obstacles to combating child, early and forced marriages; recognises, furthermore, the link between child, early and forced marriages and honour-based violence and calls for such crimes to be properly investigated and for the prosecution of the accused; notes, in addition, that boys and young men can also be the victims of such violence; calls for these practices to be addressed in all of the EU's relevant programming and in the EU's political dialogues with partner countries in order to provide mechanisms to tackle them, as well as through education and awareness-raising efforts in partner countries;

5. Points out that in order to comprehensively tackle child, early and forced marriages, the European Union, as a major actor in global development and human rights, must play a leading role in cooperation with regional organisations and local communities; calls on the EU and the Member States to work with law enforcement authorities and judicial systems in third countries, and to provide training and technical assistance to help with the adoption and enforcement of the legislation prohibiting child, early and forced marriages and eliminating laws, social standards and cultural traditions which act as a brake on the rights and freedom of young girls and women; calls on Member States to contribute to initiatives such as the EU-UN Spotlight Initiative focused on eliminating all forms of violence against women and girls;

6. Calls, therefore, on the Member States which have not already done so to include a complete ban on child, early and forced marriages in their domestic legislation, to enforce penal law and to ratify the Istanbul Convention; calls on Member States to cooperate with civil society in order to coordinate their actions on the issue; stresses the importance of adequate

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and long-term support, for shelters for women and refugees and unaccompanied and displaced children, so that no-one is denied protection due to lack of resources; calls on all Member States to enforce the minimum age for marriage set by legislation and to monitor the situation, by collecting gender disaggregated data and evidence on related factors, in order to be able to better assess the magnitude of the problem; calls on the Commission to set up a European database, including information from third countries, to monitor forced marriage;

7. Calls on the European Union, in the context of its foreign and development cooperation policies, to offer a strategic pact to its partners, and, to that end, to require that:

- (a) all its partner countries prohibit child, early and forced marriages, eliminating any legal loopholes and that they enforce legislation in line with international human rights standards, including the removal of any provisions that could allow, justify or give rise to child, early or forced marriages, including those that enable the perpetrators of rape, sexual abuse, sexual exploitation, abduction, people trafficking or modern forms of slavery to escape prosecution and punishment if they marry their victims, specifically by repealing or amending those laws;
- (b) this prohibition is respected and enforced in practice at all levels once the law has entered into force, and that comprehensive and holistic strategies and programmes that include measurable progressive targets are put in place to prevent and eradicate child, early and forced marriages, and that they be adequately funded and evaluated, notably through ensuring access to justice and accountability mechanisms and remedies;
- (c) partner governments show sustained leadership and political will to end child marriage and develop comprehensive legal frameworks and action plans with clear milestones and timelines integrating child marriage prevention measures across different sectors, and calling for political, economic, social, cultural and civil environments that protect and empower women and girls and support gender equality;
- (d) the resources needed to achieve this objective are mobilised, taking care to open this cooperation up to all institutional actors such as the judiciary, educational and health professionals, law enforcement, and community and religious leaders as well as civil society in the area of tackling child, early and forced marriages;
- (e) the level of public development aid allocation to government authorities is made dependent on the recipient country's commitment to complying, in particular, with the requirements on human rights, including in the fight against child, early and forced marriages;
- (f) the UNFPA and UN Children's Fund (UNICEF) programme is implemented in triangular cooperation involving these organisations, the European Union, its Member States and their civil society organisations working in this field and the partner countries in combating child, early and forced marriages through the implementation of budgeted national action plans, prioritising programmes and methods likely to go beyond so-called cultural, religious or tribal practices that, in reality, constitute the worst violations of the rights of children and the dignity of children; calls for this cooperation also to address the associated issues of honour-based violence;
- (g) the implementation of these programmes build on the relevant conventions and texts, as well as the specific goals and targets adopted by the UN General Assembly Resolution of 25 September 2015 in the context of the 2030 Agenda for Sustainable Development and the Sustainable Development Goals (SDGs), in particular Goal 3 ('Ensure healthy lives and promote well-being for all at all ages'), Goal 4 ('Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all'), Goal 16 ('Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels'), especially 'end abuse, exploitation, trafficking and all forms of violence against and torture of children';



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(h) the implementation of these programmes should also build on Goal 5 of the SDGs ('Achieve gender equality and empower all women and girls'), including access to family planning and the full range of public and universal sexual and reproductive health rights, in particular modern contraception and safe and legal abortion for girls; calls on the Commission and Member States, in this context, to support the SheDecides movement and pledge additional funding to international aid for sexual and reproductive health services, including safe abortions and information about abortions, thereby countering the Global Gag Rule which was reinstated by the United States government in early 2017;

(i) issues relating to child, early, and forced marriages are raised in the ongoing dialogue between EU Special Representative for Human Rights, Stavros Lambrinidis and third countries; encourages the Commission and the Member States to integrate a gender perspective into peacebuilding and post-conflict reconstruction programmes, to develop economic livelihood and education programmes for girls and women who are the victims of child, early and forced marriages, and to facilitate their access to health and reproductive services in conflict-affected areas;

8. Considers it paramount to create space for respectful dialogue with community leaders and to raise awareness among the public in general and among those at risk in particular, on the basis of education and awareness-raising campaigns and through social networks and new media as part of the fight against child, early and forced marriage; calls, therefore, for the development of cross-cutting governmental, legal, societal, and diplomatic actions aimed at preventing such practices; believes it is crucial to engage within local communities with key stakeholders such as male and female teenage students, teachers, parents and religious and community leaders through community-based programmes or specific awareness-raising programmes to draw attention to the negative impact of child marriage on children, families and communities, about the existing law on child marriage and gender inequality and how to access funding to address it;

9. Considers that the empowerment of women and girls through education, social support and economic opportunities is a crucial tool to fight against these practices; recommends that the EU promote and protect equal rights for women and girls as regards access to education, placing special emphasis on free, high-quality primary and secondary education and integrating sexual and reproductive health education into schools' curricula providing girls' families with financial incentives and/or assistance for school enrolment and completion; stresses the need to guarantee refugee children full access to education and to promote their integration and inclusion in national education; recognises the need for support and protection for those who are at risk of child, early, or forced marriages, and those who are already in such a marriage in terms of education, psychological and social support, housing and other high-quality social services, as well as mental, sexual and reproductive health services and healthcare;

10. Calls for the European Union to ensure that training is provided to government officials, including their diplomatic staff, social workers, religious and community leaders, to all law enforcement agencies, judicial systems of third countries, teachers and educators and other personnel in contact with potential victims, so that they are responsive to cases of child marriage and gender-based violence, and better able to identify and support girls and boys exposed to child, forced and early marriages, domestic violence, the risk of sexual violence and any other practice which undermines human rights and dignity, and that they are able to take effective action to ensure that the rights and dignity of these individuals are respected;

11. Calls for the European Union to ensure that training is provided to law enforcement agencies so that they are better able to uphold the rights of girls exposed to forced and early marriages, domestic violence, the risk of rape and any other practice which undermines human dignity;

12. Calls on the Member States to guarantee migrant women and girls an autonomous residence permit which is not dependent on the status of their spouse or partner, in particular for victims of physical and psychological violence, including forced or arranged marriages, and to guarantee that all administrative measures are taken to protect them, including effective access to assistance and protection mechanisms;

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13. Calls for the EU and its Member States to consider supporting and strengthening protection measures in third countries, such as safe shelters, and access to legal, medical, and, where necessary, consular support, for victims of child, early, and forced marriages;
  14. Recognises that the European Union, which is committed to upholding human rights and fundamental values, including respect for human dignity, must be absolutely irreproachable at Member State level, and calls on the Commission to initiate a wide-ranging awareness-raising campaign and to dedicate a European year to the fight against child, early and forced marriages;
  15. Strongly supports the work of the Girls Not Brides global partnership in ending child marriage and enabling girls to fulfil their potential;
  16. Welcomes the African Union's ongoing campaign to end child marriage and the work of organisations such as the Royal Commonwealth Society to advocate increased action to end child marriage and tackle gender inequality;
  17. Stresses the urgent need to inform and educate men and boys, winning their support for measures to uphold human rights, including the rights of children and women;
  18. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States and the United Nations.
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