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

--The Universal Declaration of Human Rights, 1948, Article 16 (2)

FINAL REPORT

December 1, 2011

2011 INTERNATIONAL CONGRESS

ERADICATE FORCED AND EARLY MARRIAGES

UNIVERSITY OF SOUTHERN CALIFORNIA
RADISSON HOTEL
LOS ANGELES, CALIFORNIA
OCTOBER 26, 27 and 28, 2011

Organized by Yellitaare/African Empowerment
in partnership with:

Senegalese Minister of Family and Women Organizations

Ministry of Senegalese Living Abroad
Background:
Whether on a national, regional or international scale, initiatives against early and forced marriages have been conducted using individual approaches by organizations or agencies without mutual coordination, making it difficult to assess their impact. To address this challenge and achieve the complete eradication of early and forced marriages, four members of The Elders (a group of eminent world leaders)—Gro Brundtland, Graça Machel, Mary Robinson and Desmond Tutu—convened a meeting of over 70 child marriage experts and activists from organizations around the world, in Addis Ababa, Ethiopia, June 2011. Participants at that meeting shared best practices and discussed the mission, the strategies and practicalities of forming a global alliance to combat child marriage. At the end of the meeting, participants declared their support and willingness to participate in the creation of “The Global Partnership to End Child Marriage: Girls Not Brides.”

Building on these developments, Yellitaare/African Empowerment convened this 2011 International Congress to Eradicate Forced and Early Marriage to establish a space for exchange, to diagnose the situation and to examine previous methods used to diminish this practice. Representatives from government institutions and NGOs, policymakers and legislators, survivors, health practitioners, African First Ladies, academic researchers, journalists and other individuals working in the media were invited to this Congress as a step to revitalizing and enhancing the effectiveness of the interventions through collaborative synergy.

The goals of the Congress were as follows:

- Build a collaborative conceptual and analytical framework for action on forced and early marriage;
- Exchange best practices and lessons learned at the national and international levels;
- Establish a code of good practices for the international community of organizations working on the issue of early and forced marriages; and
- Develop and reinforce alliances between NGOs and multilateral agencies involved in the same regions, for greater synergy of actions and efficient use of available resources.

Acknowledgements:

This Congress was organized by Yellitaare/African Empowerment’s Executive Director, Moussa Bocoume, in partnership with the organizations listed on the front of this report. He was assisted by Dr. Roch Nianogo, graduate student at UCLA School of Public Health, and Professor Doe Mayer, Mary Pickford Chair, USC School of Cinematic Arts. USC faculty and graduate students who provided valuable administrative and logistical support were: Professor Lucienne Aarsen, Leticia Villasenor, Caelyn Casanova, Lucille Toth, Olivier Roland and Jade Peterkin. Language interpretation was expertly provided by: Matthieu Colombie, Roch Nianogo and Molly Melching.

Major sponsors of the Congress were: The USC Office of Religious Life, the Senegalese Minister of Family and Women Organizations, and the USC Center for International Studies.

This summary report was prepared by Dr. Paula Tavrow, Director of the Bixby Program in Population and Reproductive Health, UCLA School of Public Health.
Program

Wednesday, October 26
7:30 – 10:00 PM

Opening by Professor Doe Mayer, Mary Pickford Chair of Film & Television Production at USC School of Cinematic Arts, Board member of Yellitaare

Presentation by Professor Sofia Gruskin, Director, Program on Global Health and Human Rights, Institute for Global Health at USC

A good and supportive national legal framework is vital in the effort to eradicate forced and early marriage. It is not enough for a nation simply to have laws on the legal age of marriage. The overall legal regime needs to be promoting gender equality and non¬discrimination. For example, legal regimes which treat married women as legal minors, or dissolve their rights into the rights and privileges of the male spouse, will undercut laws on early marriage. Similarly, it is counterproductive if the legal age of marriage is lower than is the age of sexual consent in criminal law provisions. Another problem is when countries put into place immigration laws meant to be protective of women and to enforce the legal age of marriage, but which in reality are discriminatory against certain populations. Hence, attention needs to be given to strengthening national legal regimes generally on gender equality issues, in order to bolster efforts to reduce early marriage.

Video message by Ms. Kyung-wha Kang, Deputy Director, UN High Commissioner, Human Rights

Early and forced marriage deprives girls and women of the enjoyment of many of their fundamental human rights: to education, to health, to live free of violence, to marry and found a family with free and full consent, and even to life itself. These practices also reflect stereotypical attitudes about women and men, with women perceived as subordinate.

Recently, the Human Rights Council’s Special Rapporteur on Violence against Women expressed concern about this practice during a visit to Central Asia. Early marriage robs girls of their childhood and flies in the face of the principle of “best interests of the child.” Demographic imbalances, resulting from violations of girls’ and women’s sexual and reproductive rights, and sex-selective abortions also encourage forced marriages.

We must step up our efforts to combat gender stereotypes which entrench the notion of the inferiority of women and perpetuate discrimination. At the international level, the Beijing process provides the policy framework to accelerate these efforts, while the Committee on the Elimination of Discrimination against Women, and the Committee on the Rights of the Child, are assisting governments to comply with their treaty obligations. Both Committees are now working on a joint general recommendation on harmful practices to guide governments.

Video message by three of The Elders (Desmond Tutu, Graca Marcel, Mary Robinson), presented by Ms. Françoise Moudouthe, Policy Officer, The Elders

The Elders are spearheading efforts to address both the lack of international visibility and leadership on the issue of child marriage, and to support greater coordination and collective action, especially among those working at the community and national levels.
“I am confident that change can happen very quickly,” said Desmond Tutu, one of The Elders. “No woman who has had the benefit of staying at school and marrying later in life can inflict child marriage on her daughters. We can end child marriage in a generation.”

Presentation by Ms. Marianna Brungs, Interim Coordinator, Girls Not Brides

**Girls Not Brides** is a new global partnership (launched in September 2011) to end the harmful traditional practice of child marriage, so that girls can fulfill their potential. Created by The Elders, Girls Not Brides brings together organizations that work to tackle child marriage at the grassroots, national and global levels around the world.

While there are a number of projects addressing child marriage already – many of them by courageous leaders in communities where the practice occurs most frequently – they tend to be small and have lacked the critical mass needed to achieve significant change nationally or globally. This effort will change that, making it possible to vastly reduce child marriage.

Child marriage usually marks the end of a girl’s schooling, limiting her opportunity to develop skills that can help her to earn an income and lift herself and her children out of poverty. It also puts girls at greater risk of disease, injury and death due to early sexual activity and childbirth. According to UNICEF, a girl under the age of 15 is five times more likely to die during pregnancy and childbirth than a woman in her 20s. As a consequence of their physical immaturity, an additional 100,000 girls each year live with the disability of fistula resulting from obstructed labor.

Young wives’ low status in their marital households condemns them to long hours of drudgery, social isolation, greater risks of physical or sexual violence, and very little say over anything that affects them. And disadvantages among girls who marry young are frequently transmitted to the next generation – their babies are much more likely to die in their first year than infants born to women over 20.

Welcome from Mrs. Chantal Compaore, First Lady of Burkina Faso and President, Foundation Suka

The social problem of forced and early marriage is a major challenge to sustainable human development in West Africa, including Burkina Faso. This Congress is therefore a sign of solidarity with the thousands of women and girls who are victims of the practice.

Female circumcision, inheritance of wives, marital rape, social exclusion, and early and forced marriages cut short the potential of thousands of girls and women around the world. These harmful traditional practices greatly hinder the development of the human person.

In Burkina Faso, the emphasis is on harmonization of national legislation with international conventions on the protection of children and women. In addition, the Ministry of Social Action and National Solidarity has been implementing a project entitled, “Eliminating child marriage in Burkina Faso,” from 2008 to 2010 in collaboration with UNICEF, UNFPA, and the Population Council. Over 20% of girls involved in this project were able to delay marriage and obtain more education.

Presentation by Ms. Anne Goddard, CEO, ChildFund International

Founded in 1938, ChildFund International, helps 13.5 million children and their family members in 31 countries. ChildFund exists to help deprived, excluded and vulnerable children become parents and leaders who bring positive change in their communities.
ChildFund promotes societies whose individuals and institutions participate in valuing, protecting and advancing the worth and rights of children.

An estimated 10 million girls, age 13 and younger, are married each year worldwide with little or no say in the matter, according to the Population Council. That’s more than 25,000 girls every day — 19 per minute. The link between poverty and child marriage cannot be overemphasized. Poverty is a key factor that influences child marriage rates, but child marriage also can perpetuate poverty and stunt girls’ educational development and career prospects. Disruption of poverty is not fast, it is not easy, but it is doable.

Keynote address by Ms. Almas Jiwani, CEO of Frontier Canada Inc. and President of National Committee for UN Women, Canada

The UN Secretary General’s Report on All Forms of Violence Against Women defines child marriage as one “lacking the free and valid consent of at least one of the parties.” All child marriages can be considered to be forced, as children do not have the capacity to consent to marriage. UNICEF reports that 42% of marriages in Africa are forced child marriages.

The right to “free and full consent” to marriage is recognized in various international instruments such as the Universal Declaration of Human Rights, The Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), and the African Charter on the Rights and Welfare of Child (The Maputo Protocol). While child marriage is not addressed directly in the Convention on the Rights of the Child, it is linked to other rights — such as the right to express one’s views freely, and the right to protection from all forms of abuse and from harmful traditional practices.

Child marriage is fuelled by gender inequality, poverty, traditional and religious norms, weak enforcement of law, and pressures caused by conflict and natural disasters. Gender inequality and poverty persist in most societies despite global commitments to empower women and improve living conditions. Scaling up of existing poverty alleviation initiatives, with specific focus on reducing child marriages, could have an important impact.

Girl’s education can best counter cultural and religious causes of child marriages. Research suggests that educated girls have a strong influence on their communities and families, which in turn leads to changed perceptions and the reduction of child marriages in communities. Also, educating religious and community leaders about the “evils” of child marriages and reinterpreting religious traditions can have effects.

Food insecurity can lead to “food brides” (girls married off to older farmers) and civil insecurity can lead to “war brides” (girls abducted by soldiers or rebels to provide sexual services). The UN agencies need to discourage these practices during famines and to include girl brides as victims of war. UN Women leads various initiatives and steering committees aimed at addressing the harmful effects of the practice of forced marriages against women.

Presentation by Ms. Francesca Moneti, Senior Child Protection Specialist, UNICEF Headquarters

Child marriage is at the heart of UNICEF’s mandate of defending the rights of children, and is now one of UNICEF’s “strategic results.”

Some programs to reduce child marriage work better than others. Those which succeed have taken into account the social realities that contribute to the persistence of child marriage, and linked them to economic realities and the legal setting. Those social realities are the “social
Social change is possible; social rules can change. Communities need to discuss the practice of child marriage, to increase their awareness of its negative consequences and lost opportunities, and to develop viable alternatives. Governments and NGOs can help make these alternatives available, especially educational. Ultimately, a new social rule can emerge: that “good parents” keep their children in school and do not allow them to marry before age 18.

Highlighting social dynamics does not deny the need for concerted action on legal and economic fronts as well. However, a focus on changing social rules can enhance action in other realms, and lead to greater enforcement of legal bans on early marriage.

Welcome from Ms. Jane Roberts, Co-Founder, 34 Million Friends of UNFPA

Welcome from Ms. Khady Koita, Author of Mutilee/Blood Stains, Founder of Euronet-FGM, and Co-Founder of La Palabre

Remarks by Ms. Jasvinder Sanghera, Executive Director, Karma Nirvana

People need to be made aware that early marriage is not always linked to poverty, and is not only an issue in developing countries. My parents were middle class and immigrants to the U.K., but they held traditional values. When I was only a 14-year-old student in Derby, they tried to compel me to marry a man in India whom I had never met. To escape a forced marriage, I had to run away when I was 16 and did not return to school until I was 27.

It is important that the voices of survivors of early marriage be heard, and that Western governments and international organizations develop a cultural sensitivity to “honor” issues in various immigrant communities. Just to be seen kissing a boy can lead to severe punishments for an unmarried girl.
Thursday, Oct 27

09:30 – 10:45 AM
Screening of BBC One Documentary, “Shame Travels,” and discussion with Jasvinder Sanghera

Shame Travels is the story of Jasvinder Sanghera’s attempt to contact a sister (Bugenol) whom she was not allowed to meet because Jasvinder dishonored her family and “shame travels,” as her father put it. Her refusal to marry at age 16 led her mother to say she was “dead to her”.

In India, Jasvinder travels to the Punjab with only an old photograph of her sister and the name of her father’s village. Once there, she sees the land and discovers areas that her father used to talk about. Despite his rejection of her, she says it makes her feel close to him again. She also visits a refuge for young women who have been rescued from forced marriages by the Foreign Office, and meets a couple whose lives are in danger because they married for love.

Eventually, Jasvinder tracks down Bugenol, who an aunt in India told her had died. Jasvinder asks Bugenol: "Do you think I've shamed the family?" "Not at all," she says. "Just ignore them." Yet because of the dishonor of not complying with her family desires, Jasvinder lost their love and support during her young adulthood and beyond.

Today, Jasvinder is the founder and Chief Executive of Karma Nirvana, an NGO that helps young British women to escape forced marriage. Thousands of British women are sent to India and Pakistan for marriage each year against their will, and Jasvinder believes it is a scam for their spouses to gain UK passports.

11:00 – 1:00 Factors Contributing to Forced & Early Marriage
1. Sarah Mathewson, Africa Program Coordinator, Anti-Slavery International

Forced marriage is a form of slavery. Slavery may also occur within marriage, such as when the conditions of the marriage involve any rights of ownership being exercised by one individual over another (e.g., transferring of wife to another man; widow inheritance).

The Africa Programme at Anti-Slavery International is mainly focused on descent-based slavery in Mali, Mauritania and Niger. In Niger, about 43,000 people are believed to be enslaved on the basis of their descent. We are currently engaged in a working on a type of slavery found in Niger and Nigeria called the “fight wife” or “wahaya” practice.

Wahaya are girls and women of slave descent who are sold by their masters to be “fifth wives” to other men. Owning one or more wahaya is a sign of affluence among Touareg elites or wealthy Hausa men. The girls’ consent is never obtained, and there is no wedding ceremony to confer religious or legal status on the union. So this becomes a “forced union” because they are not officially married to their new master and don’t get any legal rights or protection. The wahaya are essentially slaves used for labor and sexual gratification. In our study, 83% of wahaya were sold before age 15.
Because children born to a wahaya are considered legitimate (not slaves), they have a right to inheritance from their father. This makes them rivals to the children of other wives of their father, which leads to constant mistreatment from these wives and fear for their survival.

A wahaya is held in servitude for life, unless she manages to flee. Many try to escape but are returned to their original master or parents. Some who do run away become prostitutes.

Policy recommendations to change this situation include: public education campaigns, enforcement of Niger’s 2003 criminalization of slavery law, legislation against trafficking, assistance to wahaya to facilitate their release and reintegration, investment in the affected regions, national school curricula focused on gender equality, and more schools for girls.

2. Francesca Moneti, Senior Child Protection Specialist (Social norms and gender equality) UNICEF Headquarters

UNICEF has begun to examine data on child marriage, with equity as a focus of analysis. An initial review suggests that child marriage has decreased somewhat worldwide, but the decrease is almost entirely in higher income families. A fuller analysis of all available data on child marriage will be published in a report in 2012.

Economic realities are very important, particularly the interplay between child marriage and dowry, with young brides sometimes having higher “value” because the in-laws find them more malleable and they are less likely to have previous sexual experience.

It is important that more experiences in reducing child marriage be documented and shared. This will help to increase resources for comprehensive policies and programs.

The Girls Not Brides Partnership is an important new development. Increasing momentum on this issue from governments seems to be occurring. Following a request from UN member states in 2010, this year’s Report of the Secretary-General to the UN General Assembly has a special focus on ending child and forced marriage. Member states are right now beginning to draft a resolution to the UN General Assembly that addresses some of these issues.

3. Heather M. Heiman, Senior Public Policy Attorney, Tahirih Justice Center

Tahirih Justice Center (Tahirih) is one of the United States’ foremost legal defense organizations for girls and women fleeing human rights abuses, including forced marriage. Since 1997, Tahirih has assisted over 12,000 immigrants.

Tahirih recently conducted a national survey to see if other service providers were encountering forced marriage cases and to call attention to this problem. There were 500 respondents from 47 states. Key findings were:

- Forced marriage is a problem in the U.S., with at least 3000 cases identified by survey respondents in the past two years.
- Forced marriage was seen in immigrant communities from 56 countries, of many different faiths. Most frequently mentioned were: India, Pakistan, Mexico, Bangladesh, Philippines, Afghanistan, Somalia and Yemen.
- Only 16% of agencies thought they could help someone who was being forced into marriage.
The main reasons victims do not come forward are: shame, not sure of rights, isolation, language barriers, don’t know were to go, think it is an acceptable custom, feel they must honor a family contract, emotional blackmail (threats of being disowned), immigration threats, physical violence or drugging.

A common outcome is that an agency tried to help a victim, but the person pulled back or got lost in the system.

Tahirih wants to build a National Coalition on Forced Marriage.

2:00 - 3:15 Case Studies of Efforts to End Forced & Early Marriage

1. Molly Melching, Founder and Executive Director of Tostan

*Tostan ("breakthrough") began in 1991 in Senegal with the belief that women had a right to education in their own language. The cornerstone of the organization’s work is its 3-year Community Empowerment Program, with separate classes for adults and adolescents. Classes focus on collective-problem-solving, human rights education, application of human rights to hygiene and health (including early marriage), and literacy/numeracy. Tostan recognized early on that small group discussions helped women to express themselves. The first year of classes are entirely oral, in people’s own languages. Classes are intended to be fun, and include dance, singing, drama, etc. The classes are not just educational but are also empowering.

During these classes, people develop their own definitions of “democracy” and over time agree on new rules for their communities. One of these new rules was that female genital mutilation (FGM) should no longer be promoted or accepted in the villages. Tostan’s strategy is “organized diffusion” in this way: (1) classroom learning; (2) each learner adopts 1 or more additional learners (such as a sister-in-law or co-wife); (3) discussions with religious leaders; (4) village events; (5) inter-village meetings and film shows; (6) village declarations.

Since Tostan has been operational, more than 5100 villages in Senegal have pledged to abandon FGM, as well as nearly 1000 villages in other countries (Gambia, Guinea, and Mauritania). Tostan has also translated some important laws (such as about age of marriage) into local languages so that people can know what they are.

2. Clémence Some Traore, Minister of Social Action and National Solidarity, Burkina Faso

*It is important to recognize that early marriage is maintained in part due to economic considerations. If girls participate in income-generating activities with their families, there will be less inclination to marry them early.

In conjunction with Population Council, Burkina Faso launched a multi-faceted strategy to prevent early marriage. Special emphasis was placed on education, because as soon as a girl leaves school she often gets married off. Key components of this synergistic project were:

- Paying girls’ school fees and even bikes for some girls to get to school;
- Training young mothers (19 and below) to engage in peer counseling of unmarried girls about the problems of early marriage;
- Providing income-generating opportunities for girls and families, such as micro-credit access;
- Bringing popular tribunals (court cases) to the community, so as to charge parents who married daughters at early age;
- Training of social workers and health providers to discourage early marriage;
- Setting up village “relay” groups (composed of 3 men and 2 women) to communicate key messages about early marriage to the rest of the village;
- Signing of protocols with radio and theater groups to perform shows on reproductive health, FGM, and early marriage; and
- Developing refuges for girls who ran away from force marriage (but this is not a preferred approach; income-generation is better).

This project only lasted 2 years in 5/13 regions. A new project is proposed for 3 years in 13/13 regions of Burkina Faso. It seemed to be very successful.

3:30 – 5:00  **Strategies to End Forced & Early Marriage: What works? Why? What doesn’t work? Why not?**

1. Naana Otoo-Oyortey, Executive Director of the Foundation for Women’s Health Research and Development – FORWARD UK

For advocacy purposes, it is better to refer to “child marriage” rather than “early marriage,” because it is harder to defend the former. Child marriage should be considered a public, not a private, issue. Need to give evidence of links between child marriage and maternal mortality and other social ills. It is a human rights violation.

Recommended strategic approaches are:
- Investing in girls (provide them with leadership skills, education, access to legal justice);
- Shifting the social norms (need to discuss brideprice and dowry, FGM, virginity, pressure to marry, domestic violence);
- Investing in engagement (building partnerships among CBOs, communities, media, professional bodies, academics);
- Promoting public understanding;
- Improving laws and policies (e.g., need to challenge the law that says parents can give consent for marriages before age 15, or laws that make it difficult for pregnant teens to get abortions or stay in schools); and
- Developing a local evidence base (get information directly from young people, through photos, surveys, etc.)

2. Jasvinder Sanghera, Founder Karma Nirvana, Best selling Author of "Shame" and "Daughters of Shame"

*Karma Nirvana opened in 1993. In 2008, 2,500 girls—suspected victims of forced marriages—went missing from schools in the U.K., usually during vacation. Parents often insist that girls marry young to preserve the family’s honor and help men come to Europe.

These honor-based systems can harm girls and women. Popular views in some communities are: “It is the daughter’s duty to carry the family honor” and “The worth of a girl is how she conducts herself.” The idea that honor is paramount—that it is an unwritten law, maintains a family’s position, and can’t be changed—can affect every facet of a girl’s life. Honor can be a “veil”—preventing girls and women from talking openly and honestly about their feelings, even if they are abused. Honor killings account for about 12 murders in the UK per year.*
It is important that people not be blinded by the “culture” of honor and traditions that are soaked in oppression. It is not part of anyone’s culture to be abused. “Cultural acceptance does not mean accepting the unacceptable.” We have to situate forced and early marriage within a “child protection” framework and get more professionals involved.


ICRW always works in partnership with others. It engages in evidence-based advocacy for attention and resources to important social problems, like child marriage.

Recently, ICRW did a systematic review of all programs to reduce child marriage. They found only 23 had enough data for the review. Key findings were:

- Most programs were quite small (less than 60,000 beneficiaries) and were done in the past 10 years;
- Most programs were in South Asia, with some in East Africa. Only one (Tostan) was in West Africa, despite the high need there;
- The most promising programs did the following: (1) empowered girls with information, skills and support; (2) had a community mobilization aspect; and (3) gave incentives to keep girls in school.
- Other strategies employed that were less successful were: (1) economic support for girls and families; and (2) fostering and enabling legal/policy framework.

A major concern is how to reach more girls, since most of these efforts are so small-scale. Also, there is probably a bias about which girls participate in these programs: they may be more ambitious and/or have supportive parents than other girls.

4. Alvilda Jablonko, FGM Program Coordinator, and Ilwad Elmi, Program Associate, No Peace Without Justice (NPWJ)

Political will to end FGM is the most important issue. As a small organization, NPWJ targets political authorities at the national level, to get them to enforce their own anti-FGM legislation. Their policy is “naming and shaming,” like drunk driving and domestic violence campaigns. Girls need to believe in themselves, that they can do things with their lives.

NPWJ advocates for these (short-term) strategies:

- Protect children (give them alternatives or safe houses);
- Educate girls about their rights; and
- Condemn all who perpetuate FGM; don’t wait until girls die.

For the longer term, to eradicate FGM there is a need to:

- Recognize that FGM is “barbaric culture”;
- Implement universal education against FGM;
- Develop women’s economic power; and
- Guarantee rights of women.

Early marriage isn’t necessarily due to poverty: it can also be a way to keep links to one’s ethnic group or help someone get a green card. FGM and forced marriage generally go together. However, poverty can be a major factor. Girls need to stay in school and awareness-raising needs to be done in schools. If parents take a girl out of school for FGM or marriage, the government needs to get involved and direct its police to enforce the law.
Friday, Oct 28
9:30 – 10:30  Opportunities and Threats to Ending Forced/Early Marriage

1. Marianne Vorthoren, Policy Officer, Platform Islamic Organisations Rijnmond (SPIOR), Rotterdam, Netherlands

SPIOR only began to focus on forced marriage in Netherlands in 2004. There are 100 reports per year, but this is probably only the tip of the iceberg. Reports come predominantly from Turkish and Moroccan communities (also Kurdish), not just among Muslims.

SPIOR’s general prevention approach (through “Joining Hands Against Forced Marriages”) is to change the social norms within the whole Muslim community; can’t work just with girls because this will not be effective. The important thing for the girls is “partner choice.” They do not necessarily object to an arranged marriage, but they don’t like to be forced. However, this is a grey area because if you have been raised to be obedient to your parents and to think that you don’t have the right to choose your spouse, you may not label your marriage as “forced.” One goal of SPIOR is to help the community realize that forced marriage is forbidden by Islam.

SPIOR also promotes communication between parents and children. Sometimes parents don’t realize that their child considered the marriage as forced. Need a new definition about one is “in the best interest of the child.” Girls need to learn that respecting their parents is not the same as obeying them. They have a right to get to know their future partner before marriage. They also have the right to take the initiative to find a partner on their own. Girls may be interested in their parents’ opinion about a future spouse, but don’t want to be forced. On parents’ side, most had arranged marriages and are unaware of alternatives.

Imams should not be allowed to marry anyone before age 18. Civil registration of the marriage should need to occur first.

2. Linda Weil-Curiel, President of the Commission to Abolish Sexual Mutilation (CAMS), France

In France, the marriage age is set at 18 or older and FGM is outlawed. Both parties have to fully consent to a marriage. The mayor can stop a marriage if s/he believes that it is being forced. Public officials can talk separately to the bride and groom. They can become suspicious, for instance, if the groom doesn’t know the age of his intended bride.

Customary marriages are the biggest problem. Sometimes girls are compelled to have sex with someone over the weekend and then the marriage follows. Or teenaged girls can be sent back to their country of origin, ostensibly because their “dying grandmother” wants to meet them. (How odd that the grandmother never seems to want to meet the teenaged boys!) Once in their country of origin, these girls may be at the mercy of their parents, who may refuse to give the girl a ticket home until she gets married. Girls often don’t realize that the French consulate could protect them. A girl may only come back to France when she is ready to give birth. Sometimes girls go to the consulate and complain that they were excised, raped and “married.” But if they speak out, they will lose the support of their parents.

In France, judges can use a “court order” to take teens away and put them in a special high school or forbid them to leave the country. Judges can also assign a “tutor” who can choose a lawyer from the girl. Groups can join the prosecution side and try to help the victim.
Older sisters are a girl’s main allies, and call social services or the police to help their younger sister. The problem is that parents want their children to be “true Africans” and think that marriage is their own business. The worst fear of West African parents is that their child will marry a non-Muslim. From the girls’ viewpoint, forced marriage is even more painful than FGM, especially if the procedure was performed when they were young.

10:45 –11:45 Governments’ responses to early and forced marriages

1. Hon. Dr. Nestorine Sangare, Minister of Gender, Burkina Faso

In Burkina Faso, 75% of marriages are customary. Marriage is between two families; consent is not required. For girls, the minimum age of marriage is 17 but can be 15 with parental authorization for a “serious reason.” For boys, the minimum age is 20. The constitution of Burkina Faso does stipulate that the punishment for forced marriage is 6 months to 2 years, which rises to 1 to 3 years if the girl is under 14.

There are many obstacles to eradicating forced marriage. From the victim’s perspective, she is often a young girl, submissive to her parents, ignorant of the law, and concerned about abandonment. Families are often ignorant of the law, but also can refuse to submit to the law if they feel that their honor is at stake. They can try to consummate the marriage very quickly and insist that their daughters obey them and keep silent. From the community level, there is a culture of non-cooperation with authorities. Only a small number would be willing to assist girls to avoid forced marriage, because of concerns that she might engage in risky sexual behavior if she is not married young. It is a heavy responsibility to remove boys or girls from their families, because there is nowhere for them to go. This can be a long-term problem.

At the level of public services, more obstacles arise. Police prefer to return a runaway girl to her family. Judges are reticent to enforce marriage laws. Some authorities themselves may be parties to a forced marriage. Meanwhile, there is no infrastructure to protect victims while the inquiry is going on. It is costly to assist the victim with all she requires. Lastly, because this is a multi-sectoral issue, no particular Ministry feels responsible.

Burkina Faso is engaging in a number of strategies to reduce forced and early marriage:
- Study how each ethnic group conducts its marriages;
- Perform a critical analysis of the marriage code, try to revise discriminatory codes (like differential ages of marriage for boys and girl) and promote their adoption;
- Train 1000 lawyers and paralegals in the new codes;
- Conduct communication campaign on consequences of early marriage;
- Set up 50 centers for counseling of girls;
- Work on global bill on domestic violence; and
- Obtain allocation of financial resources for these activities.

2. Dr. Gamer Habbani, Secretary General, National Council for Child Welfare, Sudan

Sudan has the highest rates of early marriage in North Africa and the Middle East. More than 1 in 10 girls are married before the age of 15 (and 1 in 5 in the Blue Nile State, because of insecurity there). Sudan has no defined minimum age of marriage, only puberty. A father can make a marriage on behalf of his daughter if it is “in her best interest.”
The main causes of child marriage in Sudan are: (1) to ensure her own security, especially in conflict areas; (2) poverty and tradition; (3) to control unwanted behavior of girls; (4) girls are seen as an economic burden until marriage; (5) total prohibition on babies out-of-wedlock (which results in a major problem of abandoned children); and (6) girls want a big celebration for themselves.

The National Council for Child Welfare, in collaboration with UNICEF, has a plan for the way forward:

- Commission a study of norms, attitudes, practices to determine suitable communication strategies;
- Have a national awareness raising campaign on the consequences of child marriage;
- Raise legal age of marriage to 18;
- Push for birth certification to improve the data on child marriage; and
- Encourage family life education on the dangers of early sex.

11:45–12:45 Break-out into small groups to develop recommendations:
(1) For a small NGO; (2) For larger entity like a government

12:45–1:00 Reporting out by small groups

Suggestions for a small NGO wishing to reduce forced/early marriage:

- Collect evidence from girls about their experiences of accessing justice to help media “hear” from the victims
- Develop awareness-raising campaigns (be a conduit for messages from communities to authorities and vice versa)
- Partner with others and develop appropriate referrals
- Promote and publicize voices of men (fathers) who have “bigger plans” for their daughters than early marriage
- Develop ways to intervene directly with individual cases—e.g., mediation, referrals, support for victims
- Must define strategy very clearly and be realistic about what is “added value” (should do what governments can’t or won’t do), and be willing to amend this after contact with people on the ground.
- Should consider working with the diaspora if not “on the ground” in a country

Suggestions for governments wishing to eradicate forced/early marriage:

- Leverage resources in other fields, such as education. Show how early marriage reduces girls’ educational attainments
- Help child mothers continue their education
- Make contraceptive services available to adolescents to reduce unwanted pregnancies
- Identify two main government agencies to take responsibility: (1) for prevention of child marriage, position the issue as “child protection” and situate it in National Council on Child Welfare or a Ministry that deals with children or educational issues; and (2) for prevention of forced marriage, position the issue as human/legal rights and gender equality, and situate it in a Ministry of Justice, Home Office, or legal agency with significant power
- Consider promoting an International Convention defining early/forced marriage as a crime, with requirements of State Parties to report data and progress
• Introduce strategies to end the practice at all levels; make sure that civil servants (e.g., military, police, judges, school directors) know their roles and hold them accountable
• Support and reinforce activities of civil society organizations
• Encourage education of diaspora not to perpetuate traditions from home countries

1:00–1:15  Closing musical performance by Alassane Sy (from Senegal)

*Final note*
A news report about this Congress appeared on the Voice of America on October 29, 2011. Here is the link:

## Annex A: List of Congress Participants

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