

## RESEARCH REPORT



Issue: Forced Marriages

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### **Definition of Key Terms**

#### Forced marriage

Is a marriage in which one or more of the parties is married without his or her consent or against his or her will. A forced marriage differs from an arranged marriage, in which both parties consent to the assistance of their parents.

### **Introduction**

One of the main purposes of the UN is to promote and encourage respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, marriages or religion guided by the charter of the UN and the Declaration of human rights.

This includes, but is not limited to, Article 1 of the declaration of human rights, which states that all human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood. Article 3 states the right to life and the security of person. Lastly, Article 19 states that everyone has the right of opinion and expression.

With these rights, the United Nations tries to work against the Forced Marriages.

### **General Overview**

Forced marriage is still practiced in various cultures across the world, particularly in parts of South Asia and Africa. Some scholars object to use of the term "forced marriage" because it invokes the consensual legitimating language of marriage (such as husband/wife) for an experience that is precisely the opposite. A variety of alternatives exist, including forced conjugal association, and conjugal slavery.

The United Nations views forced marriage as a form of human rights abuse, since it violates the principle of the freedom and autonomy of individuals. The Universal Declaration of Human Rights states that a woman's right to choose a spouse and enter freely into marriage is central to her life and dignity, and equality as a human being. The Roman Catholic Church deems forced marriage grounds for granting an annulment — for a marriage to be valid both parties must give their consent freely.

In 1969, the Special Court for Sierra Leone's (SCSL) Appeals Chamber found the abduction and confinement of women for "forced marriage" in war to be a new crime against humanity (AFRC decision). The SCSL Trial Chamber in the Charles Taylor decision found that the term 'forced marriage' should be avoided and rather described the practice in war as 'conjugal slavery' (2012).

In 2013, the first United Nations Human Rights Council resolution against child, early, and forced marriages was adopted; the resolution recognizes child, early, and forced marriage as involving violations of human rights which, "prevents individuals from living their lives free from all forms of violence and that has adverse consequences on the enjoyment of human rights, such as the right to education, [and] the right to the highest attainable standard of health including sexual and reproductive health," and also states that "the elimination of child, early and forced marriage should be considered in the discussion of the post-2015 development agenda."

## Useful documents

[www.bbc.co.uk/ethics/forcedmarriage/](http://www.bbc.co.uk/ethics/forcedmarriage/)

[https://en.wikipedia.org/wiki/Forced\\_marriage](https://en.wikipedia.org/wiki/Forced_marriage)

<https://data.unicef.org> › *Statistics by Topic* › *Child Protection*

<https://www.cia.gov/library/publications/the-world-factbook/>