



CHILD MARRIAGE IN SERBIA

ANALYTICAL REPORT

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1 Executive summary

Child marriage is a global phenomenon that has existed worldwide for a very long time. Development of modern societies brought many changes in different areas of public and private life, but some harmful practices have not yet been eradicated. Child marriage is one of them, with one third of girls being married before age 18 and one in nine being married before 15 in many developing countries. Child marriage is a manifestation of discrimination against girls and women, a fundamental human rights violation and an obstacle to full enjoyment of their rights. As a form of gender-based discrimination, child marriage disproportionately affects girls and women, although boys are also at risk of child marriage.

Marriage and family life are part of a person's private sphere, thus interference by the state should be very limited. However, considering the importance of marriage and family for the whole community, marriage and family relations have always been regulated by civil, religious or customary laws. The right to marry is guaranteed by several international human rights documents, such as the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social, and Cultural Rights.

The minimum standard of modern regulation of marriage is defined in the Universal Declaration of Human Rights as follows:

Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution. Marriage shall be entered into only with the free and full consent of the intending spouses. The family is the natural and fundamental group unit of society and is entitled to protection by society and the state.

In spite of the existence of this universal provision, girls and women around the world are subjected to early, child and forced marriages, hence those practices have been addressed in other international conventions.

Under the Convention on the Rights of the Child (CRC) a person under the age of 18 is considered a child unless majority is attained earlier, under the law applicable to the child. Committees from both the CRC and the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) consider that the minimum age for marriage for both men and women must be 18, and require from states to eliminate exceptions related to the minimum age for marriage, regardless of parents' consent.

Causes of child marriages are very complex and cannot be easily distinguished; they overlap and are mutually interconnected. Existing gender stereotypes and prejudices, uneven distribution of power, control of women's bodies and their sexuality are manifestations of discrimination against girls and women causing structural gender inequality, where boys and men are more valued than girls and women. Poverty is one of the main causes of child marriage; this phenomenon is more present in rural and the poorest communities, seen as a means of increasing the economic security of girls who do not have their own access to resources and who live in poverty. In addition, lack of education or low education status due to inaccessibility of schooling, poor quality of education, insufficient competencies of teachers, overcrowded schools and gender-based violence increase chances of early marriage. Accepted cultural, religious and social practices based on stereotypes of sexuality and the role of women in society contribute to the prevalence of child marriage. In that sense, concerns about the safety and protection of girls are also important, and marriage is perceived as a way to protect girls from sexual violence, prevent relationships before marriage and prevent potential loss of "family honour". Conflicts, humanitarian crises and natural disasters increase the risk of early marriage due to an increased risk of poverty, food insecurity and sexual violence against girls and women. Finally, inadequate institutional responses to child marriage and inefficient enforcement of the law also contribute to the incidence of child marriage.

The consequences of child marriage are grave and violate numerous girls' rights. At the individual level, girls are disempowered, dependent on their husbands and deprived of their fundamental rights to health, education and safety. Significant age and power differences between a girl and her spouse undermine the agency and autonomy of girls and young women, thus they often face physical, psychological, economic and sexual violence. Child marriage is associated with early and frequent pregnancies, higher maternal mortality and morbidity rates, greater risk of experiencing complications in pregnancy and childbirth, and higher risk of contracting sexually transmitted infections and HIV/AIDS. In addition, girls are at greater risk of poverty due to limited access to education and economic opportunities, and due to drop-out from school they have a reduced likelihood of formal employment and necessary earnings. Child marriage not only affects girls and enjoyment of their rights, but it has also severe consequences at the societal level, inter alia, loss in earnings and productivity, increased costs in the health care system due to poor

maternal and child health status, and higher costs for social benefits due to the perpetuation of intergenerational poverty.

Despite an increasing recognition of the detrimental consequences of child marriage, not nearly enough is being done to end this practice. If the present trend continues, 150 million girls will be married before the age of 18 in the next ten years, endangering their personal development and well-being.

Many empirical research studies have been conducted recently on the issue of child marriage, but were mainly focused on Asian and African countries with a very high prevalence of child marriage. Following the research results, some interventions done in Asia and Africa proved to be effective in delaying the age of marriage and the reduction of child marriage. The existing evidence base shows that communications campaigns, community mobilization, and cash and incentive programs are central interventions for addressing child marriage because they can serve to address the underlying factors, such as family poverty, marriage transactions, the value of girls, their roles and expectations, and gender norms, which define child marriage as a desirable or acceptable option for girls. In addition, UNICEF has defined key strategies for combating child marriage: a) empowering girls with information, skills and support networks; b) educating and mobilizing parents and community members; c) offering economic support and incentives for girls and their families; d) enhancing the accessibility and quality of formal schooling for girls; and e) fostering and enabling the legal and policy framework, and improving the knowledge and evidence base.

On the other hand, while child marriages also exist in Central and Eastern Europe, particularly among the Roma population, relatively little research has been conducted in those countries. UNICEF's Multiple Indicator Cluster Surveys (MICS) data show that across the region (Bosnia and Herzegovina, Kosovo*, the FYRM, Montenegro and Serbia) child marriage is most commonly practiced among the Roma population. Having in mind that the prevalence of child marriage is much higher in the Roma population across the whole region, ranging from 11.6 to 18.2% of Roma girls married before age 15 and from 42.7 to 57% of Roma girls married before age 18, it is evident that more attention should be paid to addressing the issue of child marriage within the Roma population.

The minimum age for marriage in Serbia is related to obtaining full legal capacity and is set at 18 years of age, thus a minor age is a marriage impediment, meaning that a person cannot marry before turning 18. In addition, the Criminal Code prohibits common-law marriage with a minor. However, there is an exception. It is prescribed that a court may, for justified reasons, permit a minor who has reached 16 years of age, and who has reached the physical and mental maturity necessary to perform the rights and duties of marriage, to conclude a marriage. Despite the fact that the normative and institutional legal framework in Serbia is aligned with international standards, and despite the significant positive steps that have been made, child, early and forced marriages still exist. Both the CRC and CEDAW Committees have also pointed out this issue.

Causes and drivers of child marriages in Serbia are very similar to causes of child marriages around the world. Gender-based discrimination, structural inequality, poverty, lack of education, accepted cultural practices, inadequate institutional responses to child marriage, and many other factors contribute to child marriages.

Available data from MICS research shows that the early marriage practice in Serbia is something that affects mainly girls from Roma settlements, since incidence of child marriages is significantly higher among Roma compared to the general population. Only 0.8% of women aged 15-49 from

the general population were married before age 15, compared to 16.9% of women from Roma settlements. Additional available data shows that 0.2% of girls aged 15-17 from the general population were married before 15, while that was the case for 15.2% of girls from Roma settlements. Also, there is a large difference between women from the general population and women living in Roma settlements when it comes to early entry into their first marriage/common-law union. Among women aged 20-49 who were ever married or in union, the first marriage occurred before the age of 18 for almost 6.8% of women from the general population and 57% of women living in Roma settlements. It should be noted that early marriages occasionally occur among the Vlach minority and among the poor.

Until recently, the problem of child marriage was almost invisible in Serbia. With the exception of UNICEF's Multiple Indicator Cluster Surveys (MICS) and a few Roma women's organizations' research and reports, no reliable data could be found in the literature on the prevalence of child marriage. Not surprisingly, very few interventions had been made with regards to child marriage in Serbia, and almost all of them were undertaken by Roma women's civil society organizations. Those interventions were made at the level of recognizing the problem, which constitutes the very first step in addressing this harmful practice. In light of that, it is evident that effective practices for combating child marriage, particularly in the Roma population, have yet to be created and implemented in Serbia.

Only a small number of projects have been implemented on child, early and forced marriages; thus, while the problem has been identified and recognized, there is an urgent need to involve different actors in interventions and activities aimed at prevention of and protection from child marriage. Actors that should be involved in child marriage related issues are numerous, starting with Roma women's organizations, which should be further supported for the continuation of their work, as well as provided with expert and financial support to build their own capacities for better addressing this issue. Other important actors are the education system, social protection system, health care system, judicial system, local self-governments, Roma leaders and communities, and the media. All actors should implement different activities individually, but also jointly, since cooperation between different actors and systems is of the greatest importance.

In order to have meaningful and effective inter-sectoral cooperation, it is necessary to obtain all important data on early and child marriage in Serbia. Hence, several additional research studies are needed, due to the fact that at the present time available data only show that the problem of child marriage exists in Serbia, in particular within the Roma community. It is necessary to have more information so that tailor-made interventions could be created and implemented. According to the Girls Not Brides universal theory of change for child marriage programming, to effectively combat child marriage it is necessary to empower girls, mobilize families and communities, provide services, and establish and implement law and policies. Bearing that in mind, after conducting research — and depending on the results obtained — several interventions and tailor-made activities should be created and implemented aiming at empowering girls with information, skills and support networks; educating and mobilizing parents and community members; offering economic support and incentives for girls and their families; enhancing the accessibility and quality of formal schooling for girls; and fostering and enabling the legal and policy framework, and improving the knowledge and evidence base.

2 Introduction

Child marriage is a global phenomenon that has existed worldwide for a very long time. The development of modern societies brought many changes in different areas of public and private life, but some harmful practices have not yet been eradicated. Child marriage is one of them, with one third of girls being married before age 18 and one in nine being married before age 15 in many developing countries¹. Although boys are also at risk of child marriage, the fact is that girls are disproportionately affected².

Child marriage is very often driven by poverty, social and cultural norms, and gender-based discrimination. It has numerous harmful effects, deprives girls of their basic human rights and puts them at great risk. The consequences of child marriages are detrimental for girls, including dropping out of school; lower educational attainment; health risks connected to early sexual activity and pregnancy; higher fertility; and lower lifetime earnings. Many empirical research studies have been conducted recently on the issue of child marriage, but were mainly focused on Asian and African countries with a very high prevalence of child marriages³. On the other hand, while child marriages also exist in Central and Eastern Europe, particularly among the Roma population, relatively little research has been conducted in those countries.

However, an increasing recognition of the harmful effects and negative impacts of child marriages has contributed to the prohibition of child marriage in a considerable number of countries. While child marriage is prohibited in many countries, existing laws are often not enforced or provide

¹ International Center for Research on Women (ICRW), *Child Marriage Facts and Figures*, <http://www.icrw.org/what-we-do/adolescents/child-marriage>, accessed on 31 May 2016.

² UNFPA, *Marrying too young — End child marriage*, New York: UNFPA, 2012, <http://www.unfpa.org/sites/default/files/pub-pdf/MarryingTooYoung.pdf>, accessed on 31 May 2016.

³ ICRW, *Child marriage facts and figures*. For example, in Niger 75% of girls are married before 18, in Chad and Central African Republic 68%, in Bangladesh 66%, and Guinea 63%.

exceptions for parental consent or traditional and customary laws. UN Women has recognized the pervasive problem of child marriages, and made several recommendations to legislators: to identify child marriage as a form of child abuse; to provide the same resources to the prevention and prosecution of child marriage as to other forms of child abuse⁴; as well as to carefully consider the specific context in which forced marriage occurs in their country, and to ensure that the definition of forced marriage includes, at a minimum, the absence of free and full consent of one or both parties⁵.

Bearing in mind that child marriages reinforce gender inequality and affect the lives of millions of girls, the elimination of child marriage is part of the newly adopted Sustainable Development Goals, or Agenda 2030⁶. Goal 5 refers to achieving gender equality and empowerment of all women and girls, and one of the tasks (5.3) is the elimination of all harmful practices, such as child, early and forced marriage and female genital mutilation.

Several terms are used to refer to a child marriage. “Child marriage” is the most frequently used term, but “early marriage”, “forced marriage”, and “arranged marriage” are also in use. Very often those terms are used interchangeably, although they are not synonyms. For the purpose of this report, we will use the term *child marriage*, since it is very important to highlight that children are affected, and their rights are violated. The differences between child, early and forced marriages are defined as follows⁷:

- **Child marriage** is a marriage in which at least one of the parties is a child. According to the CRC, a child is “every human being below the age of 18 years unless under the law applicable to the child, majority is attained earlier”⁸. The CRC has called on states’ parties to review the age of majority if it is set below 18.
- **Early marriage** is often used interchangeably with *child marriage* and refers to marriages involving a person aged below 18 in countries where the age of majority is attained earlier or upon marriage. Early marriage can also refer to marriages where both spouses are 18 or older but other factors make them unready to consent to marriage, such as their level of physical, emotional, sexual and psychosocial development, or a lack of information regarding the person’s life options⁹.
- **Forced marriage** is any marriage that occurs without the full and free consent of one or both of the parties and/or where one or both of the parties is/are unable to end or leave the marriage, including as a result of duress or intense social or family pressure. Forced marriage is based on a threat that can be physical, psychological, emotional or sexual, and it can happen under the influence of more subtle factors such as fear, social or family expectations, or economic factors.

4 UN Women, Virtual Knowledge Centre to End Violence against Women and Girls, *Child protection provisions*, <http://www.endvawnow.org/en/articles/58-child-protection-provisions.html>, accessed on 7 June 2016.

5 UN Women, Virtual Knowledge Centre to End Violence against Women and Girls, *Definition of forced and child marriage*, <http://www.endvawnow.org/en/articles/614-definition-of-forced-and-child-marriage.html>, accessed on 7 June 2016.

6 UN General Assembly, *Transforming our world: The 2030 Agenda for Sustainable Development*, <https://sustainabledevelopment.un.org/post2015/transformingourworld>, accessed on 27 May 2016.

7 UN General Assembly, Human Rights Council, A/HRC/26-22, 2 April 2014, *Preventing and eliminating child, early and forced marriages*, Report of the Office of the UN High Commissioner for Human Rights, www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session26/Documents/A-HRC-26-22_en.doc, accessed on 27 May 2016.

8 Convention on the Rights of the Child, Article 1.

9 Rangita de Silva de Alwis, “Child marriage and the law”, Legislative Reform Initiative Paper Series, New York: UNICEF, January 2008, cited in: *Preventing and eliminating child, early and forced marriages*, Report of the Office of the UN High Commissioner for Human Rights.

The practice of child marriage is based on structural inequality and discrimination, especially on gender inequality, gender stereotypes and prejudices, uneven distribution of power, and control of women's bodies and their sexuality¹⁰. Other causes of child marriages are poverty; concerns about the safety and protection of girls; lack of safe, quality and accessible education; as well harmful social and religious practices¹¹. The root causes of child, early and forced marriages are listed in the Report of the Office of the United Nations High Commissioner for Human Rights (OHCHR)¹². According to numerous reports received by the OHCHR, poverty and insecurity are among the main causes of child, early and forced marriages, as child marriage is still common in rural areas and among the poorest communities¹³. Marriage is often perceived as a means of increasing the economic security of girls or even as the only option for girls living in extreme poverty. Girls with no education or with a low level of education are more at risk: some organizations have reported that low-quality schooling, overcrowding and gender-based violence make marriage an alternative option for girls¹⁴. In addition, many families marry their daughters very early because of accepted cultural practices and/or to protect girls from sexual violence, prevent premarital relations, avoid social pressure, etc. Finally, the risk of child marriage increases during conflicts and humanitarian crises¹⁵.

As stated in the same report¹⁶, the impact of child marriage on girls and women is immense. Very often they face physical, psychological, economic, and sexual violence and abuse. In addition, child marriage is associated with a range of poor health and social outcomes and other negative consequences. For example, complications during frequent pregnancies endanger their reproductive health, bring about high maternal and infant morbidity and mortality rates, and a heightened risk of contracting sexually transmitted infections and HIV. Child marriage and early childbearing are obstacles to ensuring educational, employment and other economic opportunities for girls and young women¹⁷.

Despite an increasing recognition of the detrimental consequences of child marriage, not nearly enough is being done to end this practice. If present trends continue, 150 million girls will be married before the age of 18 in the next ten years, endangering their personal development and well-being¹⁸.

10 *Girls Not Brides*, Report to the Office of High Commissioner for Human Rights on child, early and forced marriage, <http://www.ohchr.org/Documents/Issues/Women/WRGS/ForcedMarriage/NGO/GirlsNotBridesSecretariat.pdf>, accessed 29 May 2016.

11 Ibid.

12 UNICEF, *Preventing and eliminating child, early and forced marriages*, Report of the Office of the UN High Commissioner for Human Rights, 2014.

13 UNICEF, *Committing to Child Survival: A Promise Renewed, Progress Report*, September 2012, cited in: *Preventing and eliminating child, early and forced marriages*, Report of the Office of the UN High Commissioner for Human Rights.

14 Plan International Egypt, www.plan-uk.org/early-and-forced-marriage, cited in: UNICEF, *Preventing and eliminating child, early and forced marriages*, Report of the Office of the UN High Commissioner for Human Rights

15 UNICEF, *Preventing and eliminating child, early and forced marriages*, Report of the Office of the UN High Commissioner for Human Rights.

16 UNICEF, *Preventing and eliminating child, early and forced marriage*, Report of the Office of the UN High Commissioner for Human Rights, V. *Human rights impact of child, early and forced marriage*.

17 Ibid.

18 ICRW, *Child marriage facts and figures*, <http://www.icrw.org/child-marriage-facts-and-figures>, accessed on 31 May 2016.

3 Overview of international evidence on the causes and drivers of child marriage, its consequences and effective interventions for its combatting

3.1 *Causes and drivers of child marriage*

Several causes and drivers of child marriages have been recognized in literature. For the purpose of this report, the main causes of child marriages will be presented in more detail, based on available literature and reports. More attention is paid to the reports and research on child marriage conducted in neighbouring countries because of the countries' similar social context. It should be emphasized that the causes of child marriage are very complex and cannot be easily distinguished; they overlap and are mutually interconnected. Existing gender stereotypes and prejudice, uneven distribution of power, and control of women's bodies and their sexuality are manifestations of discrimination against girls and women causing structural gender inequality, where boys and men are more valued than girls and women. Poverty is one of the main causes of child marriage; this phenomenon is more present in rural and the poorest communities, seen as a means of increasing the economic security of girls who do not have their own access to resources and who live in poverty¹⁹. In addition, lack of education or a low education status due to inaccessibility of schooling, poor quality of education, insufficient competencies of teachers, overcrowded schools and gender-based violence increase chances of early marriage²⁰. Accepted cultural, religious and social practices based on stereotypes of sexuality and the role of women in society contribute to the prevalence of child marriage. In

19 UNICEF, *Preventing and eliminating child, early and forced marriages*, Report of the Office of the UN High Commissioner for Human Rights.

20 Ibid.

this context, concerns about the safety and protection of girls are also factors, and marriage is perceived as a way to protect girls from sexual violence, and prevent relationships before marriage and the potential loss of “family honour”²¹. Conflicts, humanitarian crises and natural disasters increase the risk of early marriage due to an increased risk of poverty, food insecurity and sexual violence against girls and women²². Finally, inadequate institutional responses to child marriage and inefficient enforcement of the law also contribute to the incidence of child marriage.

As mentioned previously, recently conducted research on child marriage was mainly focused on Asian and African countries, due to their high prevalence of child marriages. Child marriages exist in Central and Eastern Europe, but research on child marriage is scarce in this region. Early marriages are nowadays perceived as a Roma tradition, although it should be noted that it is not a Roma tradition, but rather a patriarchal tradition that existed for centuries in many societies. The prevalence of early marriage among the general population has decreased significantly over the last 50 years. However, the practice of early marriage is still present in the Roma population throughout the region, as well as in rural and poor communities. The fact that early marriage still exists in the Roma population contributes to the persistence of stereotypes about the Roma population, since child marriage is no longer socially acceptable.

UNICEF’s MICS²³ data show that across the region, child marriage is most commonly practiced among the Roma population. Table 1 presents data on child marriage in the general population and in the Roma population from neighbouring countries.

Prevalence of child marriage — MICS data

Country/area	Married by 15 ^{**}		Married by 18 ^{***}	
	General population	Roma	General population	Roma
Bosnia and Herzegovina	0.4	14.6	9.5	48.3
Kosovo*	0.8	11.6	10	42.7
FYR Macedonia	1.4	11.9	10.7	47
Montenegro	0.5	18.2	6.2	56.4
Serbia	0.8	16.9	6.8	57

* UN SC Resolution 1244.

** MICS indicator 8.4 Percentage of women age 15-49 who were first married or in union before age 15.

*** MICS indicator 8.5 Percentage of women age 15-49 who were first married or in union before age 18.

Bearing in mind that the prevalence of child marriage is much higher in the Roma population in the whole region, ranging from 11.6 to 18.2% of Roma girls married before age 15 and from 42.7 to 57% of Roma girls married before age 18, it is evident that more attention should be paid in addressing the issue of child marriage within the Roma population.

21 Ibid.

22 Ibid.

23 UNICEF, *MICS*, <http://mics.unicef.org/>, accessed 3 July 2016.

Discrimination against girls and women

Child marriage is a manifestation of discrimination against girls and women, a fundamental human rights violation and an obstacle to full enjoyment of their rights²⁴. As a form of gender-based discrimination, child marriage disproportionately affects girls and women. Gender inequality is both a main cause and a consequence of early marriage. From a rights perspective, a number of serious concerns accompany child marriage for girls, such as: denial of childhood and adolescence; limits to personal freedom and development; reduced educational opportunities; as well as limitations to their right to health, including reproductive health and psychological well-being. Due to gender inequalities, young girls who get married are more likely to be forced into sexual intercourse and experience domestic violence, and are less likely to negotiate safe sex²⁵. In addition, unequal gender norms put a much higher value on boys and men than on girls and women, thus families may overlook the benefits of educating and investing in their daughters' development²⁶. Large age gaps between spouses can increase unequal power dynamics within a relationship, which further increases girls' vulnerability to being subjected to control, as well as their disproportionate risk of physical harm and exploitation within marriage²⁷.

In Montenegro, child marriages still exist in the Roma and Balkan Egyptian communities. Girls are disproportionately affected, and forced to live according to the rules imposed by the male community members who have power and control. Girls and boys are "programmed" for their future gender roles through socialization, influenced by tradition and customs²⁸. The parents' decision on the child's marriage is not perceived as duress, but rather as a part of a desirable and long-lasting model that should be respected. Even if perceived as forced, child marriage is justified by tradition, custom, and obedience, as well as the obligation of a received amount of money for "buying a bride"²⁹. Parents in Montenegro, regardless of their ethnicity, believe that girls should be married younger than boys³⁰.

In Kosovo, child marriage is not common in the general population, but still exists in certain communities and/or ethnic groups, namely among Roma, Ashkalis, Balkan Egyptians and Goranis³¹. The society still has a very traditional structure, especially in rural areas, where the family is patriarchal, sons are favoured to daughters and arranged marriages occasionally take place³². Sometimes, when an investigation of child marriage is initiated, community leaders intervene and mediate between the police and parents. In addition, public institutions at times choose not to interfere because they believe that it is a private matter that should be dealt with by the family and spouses³³.

In the Former Yugoslav Republic of Macedonia (FYRM), patriarchal values and attitudes of parents towards family honour, morality, and girls' virginity perpetuate the discrimination of Roma girls³⁴. In Slovenia, research conducted on the Roma population shows that around one third of the respondents agree that parents should decide who their children will marry, which is evidence

24 Committee on the Elimination of Discrimination against Women, General recommendation No. 19 (1992) on violence against women.

25 ICRW, *Solutions to End Child Marriage — What the evidence shows*, 2011.

26 UNFPA, *Marrying too young — End child marriage*, 2012.

27 Anti-Slavery International, *Out of the shadows: Child marriage and slavery*, 2013.

28 Center for Roma Initiatives, Nikšić, *Ugovoreni brakovi — Jači od zakona*, available at: <http://crink.me/wp-includes/PDF/Ugovoreni%20brakovi.pdf>, accessed 4 June 2016.

29 Ibid.

30 UNICEF, *Study on educational obstacles in Montenegro: Roma and Egyptian children*, Ipsos Strategic Marketing, 2013.

31 UNFPA, *Entering marriage with children or early marriage — Kosovo*, 2012.

32 UNICEF Kosovo, *Trafficking in children in Kosovo: A study on protection and assistance provided to children victims of trafficking*, 2004.

33 UNFPA, *Entering marriage with children or early marriage — Kosovo*, 2012.

34 UNFPA, *Child marriage in the Former Yugoslav Republic of Macedonia (Overview)*, 2012.

of the patriarchal mentality that still exists in a considerable part of the Roma community³⁵. In Albania, child marriage has been practiced in the last two decades among some communities living in extremely remote, rural, mountainous areas, where a patriarchal mentality meets poverty. The practice exclusively involves girls under 18 years of age; marriages are arranged by families, and girls have no say in the choice of spouse. Male dominance plays a significant role, since the father makes the decision³⁶.

The cult of virginity as a measure of a girl's value is another manifestation of discrimination against girls and women. A girl's perceived value may shift once she reaches puberty and her sexuality suddenly manifests³⁷, which is the period when they are usually pushed into marriage to safeguard them against "immoral" behaviour³⁸. Virginity testing has become a relatively new trend in many countries, especially those highly concerned with women's honour, as well as the prevalence of HIV/AIDS and other sexually transmitted diseases³⁹. For example, in Turkey it is a social norm for females to remain virgins until marriage, and female virginity is not only highly valued, it is expected. Unmarried females found not to be virgins experience great shame and legal discrimination. Inter alia, it is a valid reason for the permanent expulsion of females from the formal educational system. These girls are labelled unfit to marry, and the shame is so great that there have been many reports of girls committing suicide before their virginity test⁴⁰.

Although the requirement of a girl's virginity is not a Roma tradition per se, the Roma regard it as an important part of their identity. Virginity, as a norm, is still considered to be the main ethnic differentiating marker of identity separating them from other ethnic communities. However, equating child marriage with the virginity requirement can result in the misunderstanding that child marriage is a tradition and a norm in Roma culture⁴¹. Strict requirements on a girl's virginity exist in many Roma, Ashkali and Egyptian communities in the region. Roma and Egyptian mothers are seriously worried that their daughters will lose virginity before marriage⁴². In Kosovo, the older generation of Roma, Ashkali and Egyptians believe it is better for a girl to marry young, and it is very important that she be a virgin⁴³. In the FYRM, patriarchal values and attitudes predominate, especially regarding family honour, morality, and girls' virginity⁴⁴, while in Montenegro, where the custom of "buying a bride" exists in the Roma and Egyptian community, a bridal price is paid for virgins⁴⁵. Vera Kurtić describes some of the customs surrounding virginity in the Roma population:

Premarital sexual relations are forbidden, while, on the other hand, boys are encouraged to have them. If the girl is not a virgin and she [enters] the marriage, she is returned to [her] parents and excluded from the community. The custom is that [the] virginity of a bride is checked. The bed sheet is taken out and showed to the family. If "everything is all right",

35 Teodora Kumrova (ed.), *Early Marriage — Culture or Abuse?*, Amalipe Center for Interethnic Dialogue and Tolerance, 2015, available at <http://early-marriage.eu/sys/wp-content/uploads/2016/04/Early-marriage-Culture-or-Abuse-Research-Analysis-Report.pdf>, accessed 2 June 2016.

36 UNFPA, *Child Marriage in Albania (Overview)*, 2012.

37 UNFPA, *Marrying too young — End child marriage*.

38 World Vision UK, *Untying the knot: Exploring early marriage in fragile states*, 2013.

39 Hajrullah Fejza, *Virginity — Features and concepts in Kosovo society*, 2013, available at: <http://www.esextherapy.com/dissertations/Hajrullah%20Fejza%20MD%20MPH%20Virginity%20Features%20And%20Concepts%20In%20Kosovo%20Society.pdf>, accessed 3 June 2016.

40 Solomon Rothman (2005) cited in: Hajrullah Fejza, *Virginity — Features and concepts in Kosovo society*, 2013.

41 Centrul Romilor pentru Interventie Sociala si Studii, *Are the rights of the child negotiable: The case of early marriages within Roma Communities in Romania*, Bucharest, 2010, available at: http://www.unicef.org/romania/Early_marriages_Romani_CRISS.pdf, accessed 3 June 2016.

42 UNICEF, *Study on educational obstacles in Montenegro: Roma and Egyptian children*.

43 UNFPA, *Entering marriage with children or early marriage — Kosovo*, 2012.

44 UNFPA, *Child marriage in the Former Yugoslav Republic of Macedonia (Overview)*.

45 Center for Roma Initiatives, Nikšić, *Ugovoreni brakovi — Jači od zakona*.

namely if the virginity mark is visible on the sheet, the celebration continues, but if a mark is not on the sheet, tragedy starts. [The] girl [has] disgraced herself and her family; she is [cast out] by everyone and mostly by her own parents⁴⁶.

Some cases of child marriage could be trafficking cases in effect. For example, there were several reports of girls trafficked into and within Europe under the pretext of marriage or engagement and promises of a better life. Upon reaching their destination these girls were imprisoned, threatened, abused and forced into prostitution and/or domestic servitude⁴⁷. In addition, child marriages could be linked to forced labour, although it is not always easy to see the connection. Forced labour should therefore apply to child marriage whenever it can be established that a child has been exploited by being forced to engage in sexual relations, undertake domestic duties in the home, or work outside the home for the benefit of the spouse or the spouse's family, if they have not voluntarily offered to do so and are unable to refuse or to leave the marriage⁴⁸.

The fear of kidnapping and possible prostitution makes early marriage a viable choice for some Roma parents. Parents feel that unmarried, unaccompanied women are more easily approached by strangers or are more inclined to talk to strangers⁴⁹. There are situations in which traditional marriage and economic exchange are used in human trafficking, especially of women from Balkan countries to Western European countries, where continuously increasing Roma immigrant communities search for brides in the countries of origin. Thus, a practice accepted by some members of the community has transformed into an illicit activity, contributing to the strengthening of stereotypes regarding the Roma⁵⁰.

Poverty

Poverty is one of the major factors underlying child marriage. Many parents believe that marriage will secure their daughters' futures and that it is in their best interests, while in some families girls are seen as an economic burden, a commodity, means for settling familial debts or disputes, etc. Customs such as dowries or bride prices may also influence a girl's life, especially if families can give a lower dowry for younger brides⁵¹. However, these links are not straightforward and should be interpreted with caution, since there are numerous exceptions — child marriage occurs not only in poor families, and not all poor families marry off their daughters early⁵².

Still, a bride price can put pressure on a child to stay in a marriage because her family may be unable or unwilling to repay the price received. There are numerous examples illustrating the "commoditization" of children as something of a certain value to be "owned" and "exchanged" in return for goods, money or livestock by their parents, spouses and spouses' families, or to settle property disputes⁵³.

Poverty is seen as the primary economic factor for Roma community early marriages. In many cases early marriage is another poverty-coping mechanism. Many poor parents are forced to marry off their daughters at an early age to ease their own economic difficulties. A married daughter leaves the family home, so marriage decreases the number of dependents within the

46 Vera Kurtić, *Virginity — Freedom of Choice*, Belgrade: Bibija Roma Women's Center, 2006.

47 Anti-Slavery International, *Out of the shadows: Child marriage and slavery*.

48 Ibid.

49 Observatory for Children's Rights, *Child Marriage in Albania — Specific view to Roma Community*, 2015.

50 Centrul Romilor pentru Interventie Sociala si Studii, *The Case of Early Marriages within Roma Communities in Romania*, 2010.

51 UNFPA, *Marrying too young — End child marriage*.

52 Anti-Slavery International, *Out of the shadows: Child marriage and slavery*.

53 Ibid.

family⁵⁴. In the FYRM, the “better life” justification particularly applies to cases where the groom, who is employed abroad, returns home to find a bride to take back with him. This is a particularly desirable outcome for families experiencing economic hardship⁵⁵. Similar views appear to be present in Kosovo, in addition to young female household heads who believe that marriage would help them to provide for their families⁵⁶. In Montenegro, the economic dimension (bride price) of child marriage is very important, especially in the Roma and Egyptian community who live in extreme poverty. A bride price ranges from 200 up to more than 4,000 euros⁵⁷.

Accepted practices

Traditional kinship, social, and religious networks ensure that early marriage is seen as an unquestioned component of the community identity which reflects patriarchal gender relations. Conservative gender norms govern behaviour and can entrench harmful practices linked to women’s value and fears around their sexual security, which further enforce deleterious customs⁵⁸. Interpretations of religious beliefs very often contribute to acceptance of child marriage and provide a powerful means of justifying it. However, religious beliefs were also found to support the opposite view, firmly indicating that boys and girls should not be married before they are physically and psychologically mature⁵⁹. Accepted social and cultural practices are also very influential. For example, one UNICEF study (2013) found that in Nepal, three of the five main reasons given by respondents for marriage under 18 years of age were social pressure, culture, and because “it is normal — everyone does it”⁶⁰.

Virginity testing is also seen as a way of restraining women’s sexual activity before marriage and keeping them “pure” until then. In some communities, this is important at the symbolic level as well, showing a woman’s importance as the mother of the home and how her body belongs only to her husband⁶¹. In Macedonia, the decision to drop out of school at an early stage of education is made predominantly by the Roma parents. This attitude towards girls’ education is rooted in the belief that a girl’s place is at home, to ensure that she receives a proper preparation for marriage and to preserve her virginity⁶². In Albania, the traditional rural society’s value system dictates that sex and childbearing is only socially acceptable within marriage. In many cases the reason why parents have forced their daughters to marry early is due to unplanned pregnancy before marriage⁶³. Furthermore, they expect women to be wives and mothers. Many Roma parents feel that their daughters’ “eligibility” for marriage declines with age, and believe that when a girl is 18-19 years old and unmarried, something is wrong with her⁶⁴.

54 Observatory for Children’s Rights, *Child Marriage in Albania — Specific view to Roma Community*.

55 UNFPA, *Child Marriage in the Former Yugoslav Republic of Macedonia (Overview)*.

56 UNFPA, *Entering marriage with children or early marriage — Kosovo*.

57 Center for Roma Initiatives, Nikšić, *Ugovoreni brakovi — Jači od zakona*.

58 World Vision UK, *Untying the knot: Exploring early marriage in fragile states*.

59 Anti-Slavery International, *Out of the shadows: Child marriage and slavery*, 2013.

60 UNICEF, *Preventing and eliminating child, early and forced marriages*, Report of the Office of the UN High Commissioner for Human Rights.

61 Hajrullah Fejza, *Virginity — Features and concepts in Kosovo society*.

62 UNFPA, *Child marriage in the Former Yugoslav Republic of Macedonia (Overview)*.

63 World Health Organization Division of Noncommunicable Diseases and Health Promotion, “Child Marriage”, *Entre Nous: The European Magazine for Sexual and Reproductive Health* 76, Copenhagen: WHO Regional Office, 2012, http://www.euro.who.int/__data/assets/pdf_file/0007/178531/Entre-Nous-76-Eng-v2.pdf, accessed on 3 June 2016..

64 Observatory for Children’s Rights, *Child Marriage in Albania — Specific view to Roma Community*.

Lack of education or low education status

Rates of child marriage tend to be highest in regions where a large proportion of girls are out of school or whose education has been stopped. There are a lot of reasons for girls' drop-out, ranging from inaccessibility, weak infrastructure, gender-based violence, poor-quality education, overcrowded schools, lack of resources and underqualified staff⁶⁵. For example, in Bangladesh, Somaliland and Niger, marriage is the immediate alternative to schooling for many girls. Girls who failed their primary certificate, mostly as a result of inexperienced teachers and limited access to books, were often married early instead of continuing their education⁶⁶. It should be noted that the enrolment rate of girls in schools does not mean they have equal access to quality education. Parents have complained that the quality of education is so poor that schooling cannot be considered an attractive alternative to marriage and childbearing for their daughters⁶⁷. If they do not drop out of school earlier, married children usually leave education immediately after being married, and most commonly they have neither possibilities nor opportunities to continue their schooling. Lack of education further restricts their life opportunities and their ability and confidence to make informed decisions about their lives⁶⁸.

In Albania, girls living in remote villages are unaware of the available choices for further education, employment and life choices in general, given that most have never travelled outside of their village. Even if they are aware of the choices, those choices are unavailable to them due to numerous reasons, e.g. their usually lower-educated parents are also not aware of the possible choices for their daughters, and thus they perpetuate family and social models they are familiar with. Many of those girls drop out of school at age 12-13, in order to take on domestic work at home and prepare for marriage. As girls are kept in isolation from school and social life, marriage appears to them to be the best alternative to their current life⁶⁹. In Montenegro, one of the problems regarding girls' drop-out from schools are prejudices that some teachers have regarding Roma girls. Due to prejudices that Roma will drop out anyway, some teachers have a lower level of expectation from Roma and Egyptian girls, including increased expectation that they will not finish school⁷⁰.

In addition, the lower educational status of the parents might lead to an unawareness of existing alternative possibilities for their children, and/or to a lack of motivation for supporting their children's higher education. Although many uneducated parents support and encourage their children to study, the lack of affirmed models within the family and community opens space for not considering education compulsory, which together with other factors contributes to a lower educational status of Roma children⁷¹. A low educational status implies low sexuality education, which is still a controversial topic, and is rarely part of public school curricula. However, sexuality education is very important to adolescents' psychological, mental and social development and empowers them to understand their sexual and reproductive rights⁷².

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⁶⁵ World Vision UK, *Untying the knot: Exploring early marriage in fragile states*.

⁶⁶ Example from Niger cited in: World Vision UK, *Untying the knot: Exploring early marriage in fragile states*.

⁶⁷ Example from Northern Nigeria cited in: World Vision UK, *Untying the knot: Exploring early marriage in fragile states*.

⁶⁸ Anti-Slavery International, *Out of the shadows: Child marriage and slavery*.

⁶⁹ Report on the rights of the child published by the Albanian Children's Alliance, cited in UNFPA, *Child Marriage in Albania (Overview)*.

⁷⁰ UNICEF, *Study on educational obstacles in Montenegro: Roma and Egyptian children*.

⁷¹ UNICEF, *Research on the social norms which prevent Roma girls from access to education*, 2016.

⁷² Romanian Sexual and Reproductive Rights Coalition, Global Justice Institute New & Sexual Rights Initiative, Submission for 15th Session of the Universal Periodic Review — Romania.

Conflict and humanitarian crisis

Evidence shows that early marriage often increases in the immediate aftermath of conflict and natural disasters. In those times, parents may marry off their young daughters as a last resort, either to bring the family some income in times of economic hardship, or to provide protection for the girl⁷³. During conflicts, young girls are subjected to numerous crimes — rape, forced prostitution, forced marriage, forced termination of pregnancy, and mutilation — as a part of various strategies to humiliate the enemy, and weaken families and the community⁷⁴. Even in countries where the phenomenon of child marriage was not widely spread, during conflicts⁷⁵ girls were married to prevent their recruitment into militia. In Liberia and Sierra Leone, many families live in extreme poverty in unstable and insecure camps, and therefore marry off their very young daughters. High rates of early marriage have also been reported in Jordanian refugee camps⁷⁶. Additionally, in some cases, families were “giving” young daughters to warlords and militia members for marriage during conflict⁷⁷, hoping to secure protection for the family and protection for the girl from sexual violence⁷⁸.

In Kosovo, anecdotal information suggests that child marriage increased during the 1990s, especially during the war in 1999. Parents believed early marriage could protect their daughters, while young women who were left as heads of households hoped marriage would enable them to provide for their siblings⁷⁹.

Incidence of child marriage increases during natural disasters, especially due to food insecurity. Fearing hunger, parents are placed under enormous pressure to ensure their family’s survival. For example, young married girls are called “famine brides”, in food-insecure Kenya; and young girls were married to “tsunami widowers” in Sri Lanka, Indonesia and India as a way to obtain state subsidies for marrying and starting a family⁸⁰. In addition, early marriage increased in Indonesia after the tsunami as a way to protect girls in refugee camps from rape⁸¹, as well as in Bangladesh following cyclone Sidr in 2007⁸².

Legal and policy framework

It could be said that almost every country has national legislation to prevent child marriage, in addition to ratified international conventions. In some countries, however, legislation is not adequately enforced and/or is ineffective in relation to child marriage⁸³. Civil, customary and religious laws may exist in parallel, governed or administered separately by traditional leaders, religious leaders and government officials. Communities may perceive child marriage and other harmful practices as protective, thus changes made to national laws are neither accepted nor enforced⁸⁴.

73 UNFPA, *Marrying too young — End child marriage*.

74 World Vision UK, *Untying the knot: Exploring early marriage in fragile states*.

75 For example in Sri Lanka, but also in Afghanistan, northern Uganda and Somalia.

76 World Vision UK, *Untying the knot: Exploring early marriage in fragile states*.

77 The marriage of girls in such circumstances has been documented in many conflict settings, including Afghanistan, Somalia, Northern Uganda, Algeria, Chad, Sudan, Lebanon, and Palestine.

78 Anti-Slavery International, *Out of the shadows: Child marriage and slavery*.

79 World Health Organization Division of Noncommunicable Diseases and Health Promotion, “Child Marriage”.

80 UNFPA, *Marrying too young — End child marriage*.

81 After the 2010 floods in Pakistan and the earthquake in Haiti, NGO staff in both locations similarly reported increases in early marriage.

82 World Vision UK, *Untying the knot: Exploring early marriage in fragile states*.

83 Ibid.

84 Ibid.

Generally, child marriage among the Roma community has placed this community in a judged position, incurring blame on their culture for this phenomenon. When the cultural traits of the Roma community are described by a society in a negative manner, specific traditions particularly stand out and are identified as the worst characteristics of this community. In this way, the issue of early child marriage in these societies is generally identified with the Roma community and is usually addressed to this community. It is defined as a human rights violation in which the state should respond according to a number of human rights standards and national instruments. This is not always effective, because most of the time it is identified as a Roma-specific tradition, and one that needs to be dealt with within the Roma community⁸⁵.

Child marriage is forbidden throughout the Western Balkans; however, prohibition of child marriage is not always enforced. The unwillingness to strongly intervene and sanction these marriages involves either “turning a blind eye” to them based on simple neglect, or agreeing that “this is a Roma tradition, their internal issue”⁸⁶. Public officials sometimes choose not to intervene, considering it a private matter and part of tradition. However, human rights activists emphasize that child marriage persists due to ineffective implementation of laws, rather than to tradition⁸⁷, as we can see in the following example:

A case of a 14-year-old Roma girl from Kosovo, who had been sold for marriage by her parents to a much older man, was investigated and submitted to court. The girl had been raped and forced into prostitution and she was not welcome back to her home as her parents stated that they could not return the money to the “husband”. During the investigative phase, the prosecutor expressed his view that “this is a Roma issue and this way of acting comes from their tradition”⁸⁸.

The Child Ombudsperson of the Republic of Srpska expressed concerns about inadequate institutional reaction in situations when early marriages (16-18) had been reported⁸⁹. The state should provide the kind of protection that is necessary for a child’s well-being. However, social welfare expert opinions in such cases usually state that it is the free will of the underage person, that they are not forced, and that the parents agree with the marriage/union. Those opinions often lack assessment of the child’s best interests, of the capabilities and capacity to respond to a new life situation, etc. Finally, there is no data on initiated legal proceedings against parents, although proceedings have been initiated against persons who live in common-law union with underage persons⁹⁰. Existing common-law unions and pregnancies are usually justifiable reasons for courts to give permission to marry to an underage person. Those unions very often result in pregnancies before the girl is 16 and the couple then wait for her to fulfil legal conditions to apply for the court permission⁹¹. It should be mentioned that there are no available studies or research in the region on state responses to early marriages, which is most probably an indicator of the lack of public authorities’ responses.

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⁸⁵ Observatory for Children’s Rights, *Child Marriage in Albania — Specific view to Roma Community*, 2015.

⁸⁶ Ibid.

⁸⁷ UNFPA, *Entering marriage with children or early marriage — Kosovo*.

⁸⁸ UNICEF Kosovo, *Trafficking in Children in Kosovo — A study on protection and assistance provided to children victims of trafficking*, 2004.

⁸⁹ Child Ombudsman of the Republic of Srpska, *Special Report — Problems and risks of underage marriages*, 2010.

⁹⁰ Ibid.

⁹¹ Ibid.

3.2 Consequences of child marriage

The consequences of child marriage are grave and violate numerous girls' rights. At an individual level, girls are disempowered, dependent on their husbands, and deprived of their fundamental rights to health, education and safety. Significant age and power differences between a girl and her spouse undermine the agency and autonomy of girls and young women, thus they often face physical, psychological, economic and sexual violence⁹². Child marriage is associated with early and frequent pregnancies, high maternal mortality and morbidity rates, a greater risk of experiencing complications in pregnancy and childbirth, and a higher risk of contracting sexually transmitted infections and HIV/AIDS⁹³. In addition, girls are at greater risk of poverty due to limited access to education and economic opportunities, and due to drop-out from school they have reduced likelihood of formal employment and necessary earnings. Child marriage not only affects girls and the enjoyment of their rights, but it also has severe consequences at the societal level, inter alia, loss in earnings and productivity, increased costs in the health care system due to poor maternal and child health status, and higher costs for social benefits due to intergenerational poverty perpetuation.

Interrupted childhood and school drop-out

Early marriage interrupts childhood and endangers the happiness and well-being of girls. Usually their quality of life is very poor, they are burdened with adult responsibilities and expectations despite the fact they are still children in all respects: developmentally, biologically, physically and emotionally⁹⁴. Married girls live under unique circumstances that neither youth programs nor women's programs within their communities take into account⁹⁵. Upon marrying, both boys and (more often) girls have to leave education, but for different reasons: boys are expected to enter the workforce, while girls are expected to take up responsibilities at home⁹⁶.

For many girls, the very expectation of early marriage results in the end of schooling, due to the belief that girls should remain at home and prepare for their forthcoming duties as wives and mothers. Girls either drop out in preparation for marriage or are withdrawn to take up their new marital responsibilities⁹⁷. Some of the consequences of girls' drop-out from education are high illiteracy rates, low qualifications, and few useful vocational skills, thus her chances of finding employment and achieving a career are limited⁹⁸. This contributes to the cycle of poverty that often leads to the perpetuation of child marriage⁹⁹. The impact that lack of education and illiteracy among girls and women has on social and economic development is very negative, affecting almost every sphere of public and private life¹⁰⁰.

Poverty

Married girls' do not have an adequate support system, since they lack education, skills and connections, which additionally limits their ability to overcome poverty¹⁰¹. Some research studies

92 UNICEF, *Preventing and eliminating child, early and forced marriages*, Report of the Office of the UN High Commissioner for Human Rights, IV. Factors contributing to child, early and forced marriage.

93 Ibid.

94 World Vision UK, *Untying the knot: Exploring early marriage in fragile states*

95 UNFPA, *Marrying too young — End child marriage*.

96 UNFPA, *Child Marriage in Serbia (Overview)*.

97 World Vision UK, *Untying the knot: Exploring early marriage in fragile states*

98 Observatory for Children's Rights, *Child marriage in Albania — Specific view to Roma Community*.

99 World Health Organization Division of Noncommunicable Diseases and Health Promotion, "Child Marriage".

100 World Vision UK, *Untying the knot: Exploring early marriage in fragile states*

101 ICRW, *Solutions to end child marriage — What the evidence shows*.

show that girls often remain hungry in the marital home, or they are deprived of food as a form of gender-based violence linked to dowry payments¹⁰². In addition, some girls deliberately avoid food during pregnancy to ensure low birth weight and “easier” delivery, a strategy that has serious consequences for both mother and baby.

Similarly, Roma child spouses usually continue the cycle of poverty into which they were born, and it is difficult for them to continue their education and to secure adequate housing or employment¹⁰³. For young girls, divorce leads to increased poverty and social exclusion for themselves, their families, and their children. An additional complication occurs if their children are placed in alternative care: the mothers face multiple obstacles once they reach maturity and want their children back, since they are perceived as unsuitable for taking care of children due to extreme poverty as well as numerous prejudices. Sometimes this may result in their resorting to sex work as a strategy for survival and a coping mechanism for poverty¹⁰⁴.

Health risks

There is a direct link between marital relationships and physical health. Young girls who are married at an early age are exposed to frequent childbirths, unplanned pregnancies, sexually transmitted diseases and abortions that in turn are detrimental to their health status¹⁰⁵. Early childbearing contributes to pregnancy-related deaths and birth complications, and is the leading cause of mortality for girls aged 15-19¹⁰⁶. The majority of birth complications could be prevented and treated, but in many states girls do not have any or adequate access to maternity and basic health care services¹⁰⁷. In addition, it has been reported that girls are routinely refused medical treatment by male staff, whose attitudes towards women are so discriminatory that patients often return home without any care at all¹⁰⁸.

Research done in Bulgaria showed that families are neither concerned nor aware of the risks of early pregnancies, and that the majority of Roma believe that young mothers give birth to healthy children and an early birth is not risky for the mother or the baby¹⁰⁹. Even when information about the negative consequences of early births is provided by mediators it does not have a significant effect on the practice of child marriage, meaning that customary norms prevail¹¹⁰. In Albania, birth control use is rare among young brides, especially in the Roma community, partly due to mistrust of, and lack of knowledge about birth control methods¹¹¹. Most Roma women think that the methods used for birth control are untrustworthy and harmful to their health, and the fact that they do not use any methods of birth control results in very high abortion rates. Abortions are usually performed by a doctor, but sometimes women perform the abortions themselves¹¹². According to a United Nations Development Programme (UNDP) study from 2002¹¹³, abortion remains the “universal means” for family planning for many Roma, since data show that of those women who

¹⁰² For example, child brides in Somaliland and in Bangladesh, cited in: World Vision UK, *Untying the knot: Exploring early marriage in fragile states*.

¹⁰³ World Health Organization Division of Noncommunicable Diseases and Health Promotion, “Child Marriage”.

¹⁰⁴ UNFPA, *Child Marriage in Albania (Overview)*.

¹⁰⁵ Observatory for Children’s Rights, *Child Marriage in Albania — Specific view to Roma Community*.

¹⁰⁶ World Vision UK, *Untying the knot: Exploring early marriage in fragile states*.

¹⁰⁷ Ibid.

¹⁰⁸ Example from Somaliland, reported by NGO workers.

¹⁰⁹ UNICEF, *Research on the social norms that prevent Roma girls from access to education*, 2016.

¹¹⁰ Ibid.

¹¹¹ Observatory for Children’s Rights, *Child Marriage in Albania — Specific view to Roma Community*.

¹¹² Ibid.

¹¹³ UNDP, *Avoiding the dependency trap: Roma in Central and Eastern Europe*, 2002.

have had abortions in the past, almost two thirds report having had more than five during their reproductive period¹¹⁴. Recent MICS data show that the abortion rate among Roma women is still very high, but compared with data from the UNDP study, it could be said that the abortion rate has decreased in the region. In Montenegro, 12% of women and 14% of women from Roma settlements reported at least one induced abortion, while 4% and 10% among them reported four or more induced abortions respectively¹¹⁵. In Kosovo, 8% of women and 14% of women from Roma settlements reported at least one induced abortion, while 4% and 13% among them reported four or more induced abortions respectively¹¹⁶. Finally, in the FYRM, 11% of women from the general population and 23% of Roma women have had at least one induced abortion¹¹⁷.

Furthermore, regarding awareness and knowledge about contraception methods, in Kosovo 93% of girls aged 15 to 19 know of only one contraception method, while only 2.5% were recently informed about family planning¹¹⁸. In the FYRM modern contraceptives are subject to out-of-pocket payment, which limits access to contraception for poor women. Girls and women in rural areas have limited access to family planning counselling, since that service is usually unavailable in such areas¹¹⁹. As with the MICS surveys in the region, a survey conducted in Slovenia confirmed that the use of contraceptives as a form of family planning increases with a higher education level and better housing conditions. Also, education is an important factor affecting the Roma population's attitude towards early motherhood and marriage, proving that educating girls and young women will increase their awareness of reproductive health and family planning¹²⁰.

Violence

Women who married younger are more likely to be threatened, beaten, and exposed to different forms of violence, and more likely to believe that sometimes it may be justifiable for the husband to beat his wife. Domestic violence is more common among women who married as children¹²¹. Many of those girls are taken away from their families and friends, and forced into social isolation without access to support networks¹²². It is often stated that early marriage is used as a strategy to protect girls from sexual violence in fragile contexts. However, insecurity, immaturity, and lack of education and negotiating power make girls more exposed to abuse, including marital rape¹²³. There is plenty of evidence that girls have been beaten for refusing sex with their husbands, or for inability to cope with household and other demands and expectations; when parents fail to produce the promised dowry, girls are often beaten, tortured and, on occasion, killed¹²⁴.

Roma and Egyptian women in Montenegro are constantly faced with male violence (from father, brother, husband, father-in-law) within their community. It is believed that tradition, poverty, a low level of education, and use of alcohol and narcotics are the main causes of violence against girls and women¹²⁵. On the one hand, Roma and Egyptian women have accepted violence against

114 Ibid.

115 UNICEF, *MICS 2013, Montenegro and Montenegro Roma Settlements*, 2014.

116 UNICEF, *MICS 2013-2014, Kosovo (UNSCR 1244)*, 2014 and UNICEF, *MICS 2013-2014, Roma, Ashkali and Egyptian Communities in Kosovo (UNSCR 1244)*, 2014.

117 Institute of Public Health of the Republic of Macedonia & UNICEF, *MICS 2011, Macedonia*, 2011.

118 UNFPA, *Entering marriage with children or early marriage — Kosovo*.

119 UNFPA, *Child Marriage in the Former Yugoslav Republic of Macedonia (Overview)*.

120 Teodora Kumrova (ed.), *Early marriage — Culture or abuse?*

121 UNICEF, *Early Marriage — A harmful traditional practise: A statistical exploration*, 2005.

122 World Vision UK, *Untying the knot: Exploring early marriage in fragile states*.

123 UNICEF, *Early Marriage — A harmful traditional practise: A statistical exploration*, 2005.

124 World Vision UK, *Untying the knot: Exploring early marriage in fragile states*.

125 Center for Roma Initiatives, Nikšić, *Ugovoreni brakovi — Jači od zakona*.

them as “normal behaviour”, while on the other hand, isolation from the majority population limits their access to public institutions dealing with violence against women¹²⁶. MICS data for Montenegro show that 3% of women think that a husband has a right to hit or beat his wife for at least one of a variety reasons¹²⁷, and acceptance of violence is more present among women living in poorer and less educated households¹²⁸. Violence is much more accepted in Roma settlements, where 41% of women think violence can be justified, especially less educated women living in urban areas¹²⁹. Similar results have been obtained throughout the region: for example, in Bosnia¹³⁰ 4.8% of women and 43.5% of Roma women think that violence can be justified, and in the FYRM 14.5% and 25.4%¹³¹, respectively.

Legal invisibility

Lack of both birth and marriage certificates in numerous states has been identified as one of the major obstacles to protecting children from child marriage, especially in rural areas where many births go unrecorded¹³². Without a birth certificate, it is hard to verify a child’s age at the time of marriage, and without a marriage certificate it is hard to dissolve or seek redress formally through public institutions and mechanisms. Although a large number of states require the expression of “free and full” consent to marry before a “competent authority”, registration offices are rare in some countries and regions, despite the fact that this would be a safeguard at least for compliance with minimum age requirements¹³³.

Problems with registration exist in the Western Balkan region, as well. In Albania, for example, children born into Roma child marriages are usually not registered, or are registered as the offspring of the wife’s parents or grandparents. This could be explained as a way to obtain documents for the child necessary to access public services, but this practice enables illegal child marriages to remain hidden¹³⁴. In Bosnia and Herzegovina, almost as a rule, Roma do not register marriages and live births in the official registries, given that they practice common-law marriages and they raise children to follow the same customs¹³⁵.

3.3 Effective interventions for combatting child marriage

Bearing in mind the prevalence of child marriage and the complexity of the problem, it is clear that effective interventions for combating child marriage should be complex and diverse, i.e. tailor-made for the specific context. These interventions should be innovative and transformative, and must include different sectors and multiple approaches. Some interventions done in Asia and Africa have proved effective in delaying the age of marriage and the reduction of child marriages. The existing evidence base shows that communications campaigns, community mobilization, and cash and incentive programs are central interventions for addressing child marriage because they can serve to address the underlying factors, such as family poverty, marriage transactions, the

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¹²⁶ Ibid.

¹²⁷ E.g., if she goes out without telling him; if she neglects children; if she argues with him; if she refuses sex with him; or if she burns the food.

¹²⁸ UNICEF, *MICS 2013, Montenegro and Montenegro Roma Settlements*, 2014.

¹²⁹ Ibid.

¹³⁰ UNICEF, *MICS 2011-2012, Bosnia and Herzegovina, 2014* and *MICS 2011-2012, Bosnia and Herzegovina: Roma survey*, 2014.

¹³¹ Institute of Public Health of the Republic of Macedonia & UNICEF, *MICS 2011, Macedonia*.

¹³² Anti-Slavery International, *Out of the shadows: Child marriage and slavery*.

¹³³ Ibid.

¹³⁴ UNFPA, *Child Marriage in Albania (Overview)*.

¹³⁵ UNFPA, *Child Marriage in Bosnia and Herzegovina (Overview)*.

value of girls, their roles and expectations, and gender norms, which define child marriage as a desirable or acceptable option for girls¹³⁶.

In addition, UNICEF has defined key strategies for combating child marriage¹³⁷:

- Empowering girls with information, skills and support networks;
- Educating and mobilizing parents and community members;
- Offering economic support and incentives for girls and their families;
- Enhancing the accessibility and quality of formal schooling for girls;
- Fostering and enabling legal and policy framework, and improving the knowledge and evidence base.

An evaluation of seven different World Bank Group Programs¹³⁸ has shown similar results. Conditional cash transfer programs have resulted in a significant decrease in early marriages, as well as noteworthy delays in early childbearing among girls. Additional educational component programs were also effective in decreasing child marriages among those who received education at a reduced cost. In these programs, in addition to cash transfers, girls were assigned mentors, provided with recreational activities and vocational skills, given subsidies for uniforms, etc. Finally, the evaluation of structural intervention programs has shown that in villages where clothing factories were present, girls were statistically significantly less likely to be married by age 16 and age 18, compared to girls in villages without factories, which means that opportunities for employment provide alternatives for girls.

Sheep and goats instead of marriage

In Ethiopia, the Berhane Hewan project promotes education and helps prevent girls from becoming child brides by providing an incentive — a \$25 sheep or goat — to families who commit to keeping their girls in school, since the provision of livestock is very important for poor families¹³⁹. The project targets married and unmarried girls aged 10 to 19, and the intervention includes social mobilization and group formation by adult female mentors, participation in non-formal education and livelihood training for out-of-school girls, or support to remain in school, and “community conversations”, a technique engaging the community at large in discussion on key issues, including early marriage, and collective problem-solving¹⁴⁰. Unmarried girls and their parents were asked to register for the program, and families who did not marry girls during the two-year period were promised a sheep or goat at the end of the period, to be presented jointly to the girl and her family. The project’s evaluation indicates significant impacts on education, marriage and the reproductive health of adolescent girls¹⁴¹.

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136 UNICEF Gender Action Plan 2014-2017, *Ending Child Marriage*, UNICEF, E/ICEF/2014/CRP.12 from 15th April 2014.

137 Karin Sorensen, *Global perspectives, targeted Priorities, ending child marriage*, Global Gender Network Meeting in Dhaka.

138 Jennifer Parsons and Jennifer McClearly-Sills, *Preventing child marriages: Lessons from World Bank Group Gender Impact Evaluations*, enGENDER IMPACT, Washington, DC: World Bank Group, <http://www.worldbank.org/content/dam/Worldbank/document/Gender/enGENDER%20IMPACT%20-%20Research%20Brief%20Early%20Marriage%2008.07.pdf>, accessed on 4 June 2016.

139 United Nations, Berhane Hewan: *Reducing child marriage in Ethiopia*, <https://www.globalgiving.org/projects/berhane-hewan-reducing-child-marriage-in-ethiopia/>, accessed on 4 June 2016.

140 Ibid.

141 Annabel S. Erulkar and Eunice Muthengi, *Evaluation of Berhane Hewan: A pilot program to promote education & delay marriage in rural Ethiopia*, 2007.

Safe age of marriage through community mobilization

The Safe Age of Marriage Project conducted in 2010 used community mobilization efforts, including school and community-based awareness sessions and mobile clinics to raise the age of marriage in rural Yemen¹⁴². Community members in two communities pledged to ban child marriage and set dowry at approximately \$2,000 to discourage trade marriage. This project was very successful: the age of marriage for girls rose from 14 to 17 over the duration of the project, and now it is replicated in new districts¹⁴³. In addition, during the project's implementation, there were significant increases in the proportion of people identifying benefits to delaying marriage¹⁴⁴. Finally, due to the deep-rooted belief that Islam condones child marriage, engagement of religious leaders has been planned to clarify these religious misconceptions¹⁴⁵.

Tribal chief against child marriage

In Zambia, Chief Nzamane of the Mfumbeni tribe works with the parents of girls who are at risk of being sold for lucrative dowries¹⁴⁶, and holds classes to explain to parents the dangers of early marriage, especially on girls' health. He wants parents to see education as a better long-term investment that will bring the family more resources in the future, as well as not to look at marriage as a source of income through a dowry or bride price¹⁴⁷. As he states, most parents respond positively, and in case they do not — he uses his right to *reprimand those who cause harm to others*, usually making them repair communal roads or other community facilities¹⁴⁸.

Girl Power application

The Girl Power app¹⁴⁹ works by giving community activists and teachers tablets or Android phones that they use to register girls in villages, and to record information about each girl's health, nutrition, safety status and education. The profiles are analysed and regularly updated to provide insights to an advisor who can observe trends. If at-risk signs are detected, the advisors go to the girl's home to talk with the parents, explaining the dangers and harms of child marriage and then encouraging alternatives. This simple intervention has already saved more than 200 girls from child marriage in Bangladesh and India¹⁵⁰.

The power of education

Tostan, a women's human rights charity based in Senegal, runs outreach programs that educate community elders, decision-makers and other participants about the importance of educating young women. The Community Empowerment Program is run in villages by assigning a trained

142 USAID, *Ending child marriage & meeting the needs of married children: The USAID vision for action*, 2012 .

143 Ibid.

144 Ibid. From 45 to 79% agreed that delayed marriage provides more opportunities for girls' education and from 36 to 67% agreed that delayed marriage leads to healthier pregnancies.

145 Ibid.

146 Carol Olson, "16 ways of preventing and intervening in child marriages", *The Pixel Project*, <http://16days.thepixelproject.net/16-ways-of-preventing-and-intervening-in-child-marriages/>, accessed on 6 June 2016

147 Arigatou International, *Ideas for Action on Ending Child Marriage*, New York: Arigatou International, 2013.

148 Chief Nzamane, "Why traditional chiefs like me must stand against child marriage", *Chime for Change*, 2013, <http://www.chimeforchange.org/story/why-traditional-chiefs-like-me-must-stand-against-child-marriage/?pillar=justice>, accessed on 6 June 2016.

149 The app is monitored by non-profits that intervene on behalf of girls to stop the practice of child marriage. The app was developed by Accenture Labs and the charity Child in Need Institute.

150 Joe McCarthy, "How 1 App is saving 100s of girls from child marriage", *Global Citizen*, 2016, <https://www.globalcitizen.org/en/content/child-marriage-gender-inequality-india-rescue/>, accessed on 6 June 2016.

facilitator who is fluent in the local language and of the same ethnic group as the community members, and who lives in the village during the three-year program¹⁵¹. Participants learn about human rights, inter alia, on how child marriage might pose a threat to girls' enjoyment of human rights. For example, when a girl is married too young, her rights to education, health, and protection, among many others, are at risk. This open dialogue often leads gradually to the collective abandonment of child marriage, since participants are able to recognize that by abandoning this practice their daughters will be empowered to seek education and employment, allowing them to reach their full potential and contribute to the social and economic development of their communities. At present, some 427 communities in southern Senegal have abandoned the practice of child marriage¹⁵².

Return to the classroom

Ishraq is a community-based programme in Egypt that challenges traditional concepts of gender-appropriate behaviour. For example, girls and women in rural areas are afforded a safe space to meet and participate in sport and education¹⁵³. Ishraq offers a two-year programme for girls 12-15 who have dropped out of school. It aims to help them return to the classroom, teaching them the literacy and numeracy skills needed to pass an exam required for re-enrolment; at the same time, it helps girls build vital life skills, increasing their self-confidence, knowledge about sexual and reproductive health, and future chances to earn an income. Ishraq was identified as a programme that is successfully changing attitudes around marriage generally, and possibly even helping reduce the prevalence of girls who marry before their 18th birthday¹⁵⁴.

Long-term savings bond

The Apni Beti, Apna Dhan ("Our Daughter, Our Wealth") programme is one of India's first conditional cash transfer programs to delay marriages. Financial incentives are given to families not to marry off their daughters before age 18. Families would receive a long-term savings bond with an initial amount of 2,500 rupees (USD 55) that would become 25,000 rupees (USD 550), payable when the girl turns 18 on the condition that she is not married¹⁵⁵. Results showed that beneficiaries of this program had a 23% increase in the probability of being in school after age 15. The girls who were beneficiaries attained higher levels of schooling, were more likely to continue their education and less likely to drop out. However, conditional cash transfer programs need to interact with the spheres of attitude and aspiration. Financial incentives cannot trigger effective change without shifting underlying values or aspirations¹⁵⁶.

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151 *Girls Not Brides, Child marriage around the world: Senegal*, <http://www.girlsnotbrides.org/child-marriage/senegal/>, accessed on 6 June 2016.

152 Issa Sakiti da Silva, *Senegal growing up over marriage*, Rome: Inter Press Service, <http://www.ipsnews.net/2013/02/senegal-growing-up-over-marriage/>, accessed 7 June 2016.

153 Zibani, Nadia, "Ishraq: Safe spaces for girls to learn, play and grow", Maadi: Population Council, http://www.ittf.com/ittf_development/Ishraq_Booklet_Last_Version_April05.pdf, accessed on 7 October 2016.

154 ICRW, *Solutions to end child marriage — What the evidence shows*.

155 Arigatou International, *Ideas for action on ending child marriage*.

156 ICRW, *Impact of conditional cash transfers on girls' education*, 2014.

4 Overview of the legal framework

Marriage and family life are part of a person's private sphere, thus interference by the state should be very limited. However, considering the importance of marriage and family for the whole community, marriage and family relations have always been regulated by civil, religious or customary laws. The European Convention on Human Rights addresses the relationship between law and private life:

Everyone has the right to respect for his/her private and family life. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic wellbeing of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others¹⁵⁷.

Private and family life is protected, but certain provisions regulating entering into marriage, family relations and child protection are defined in both international and national legislations.

4.1 International legal framework

The right to marry is guaranteed by several international human rights documents, such as the Universal Declaration of Human Rights¹⁵⁸, the International Covenant on Civil and Political Rights¹⁵⁹, and the International Covenant on Economic, Social, and Cultural Rights¹⁶⁰. The minimum standard of modern regulation of marriage is defined in the Universal Declaration of Human Rights as follows:

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¹⁵⁷ Council of Europe, European Convention on Human Rights, Rome, 1950, Article 8.

¹⁵⁸ UN General Assembly, Universal Declaration of Human Rights, Res. 217, UN Doc. A/810, (1948), Article 16 (2).

¹⁵⁹ UN General Assembly, International Covenant on Civil and Political Rights, Resolution 2200A (XXI), 1966, Article 23 (3).

¹⁶⁰ UN General Assembly, International Covenant on Economic, Social, and Cultural Rights, Resolution 2200A, 1966, Article 10 (1).

Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution. Marriage shall be entered into only with the free and full consent of the intending spouses. The family is the natural and fundamental group unit of society and is entitled to protection by society and the state¹⁶¹.

In spite of the existence of this universal provision, girls and women around the world are subjected to early, child and forced marriages, hence those practices have been addressed in other international conventions.

The Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery¹⁶² requires from states' parties to take all necessary legislative and other measures to prohibit certain institutions and practices, including any institution or practice in which:

- A woman, without the right to refuse, is promised or given in marriage on payment of a consideration in money or in kind to her parents, guardian, family or any other person or group; or
- The husband of a woman, his family, or his clan, has the right to transfer her to another person for value received or otherwise; or
- A woman on the death of her husband is liable to be inherited by another person¹⁶³.

In addition, states should prescribe "suitable minimum ages of marriage, to encourage the use of facilities whereby the consent of both parties to a marriage may be freely expressed in the presence of a competent civil or religious authority, and to encourage the registration of marriages"¹⁶⁴.

According to the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages, the requirement for entering into marriage is the full and free consent of both parties, where such consent is "expressed by them in person after due publicity and in the presence of an authority competent to solemnize the marriage and of witnesses"¹⁶⁵. Similarly, the CEDAW¹⁶⁶ guarantees to women and men the same right to enter into marriage, as well as the same right freely to choose a spouse and to enter into marriage only with their free and full consent. In addition, it is stated that "betrothal and the marriage of a child shall have no legal effect, and all necessary measures, including legislative, should be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory"¹⁶⁷. Under the Convention on the Rights of the Child¹⁶⁸ a person under the age of 18 is considered a child unless majority is attained earlier, under the law applicable to the child. Both the CRC and CEDAW Committees consider that the minimum age for marriage for both

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161 Universal Declaration of Human Rights, Article 16.

162 UN, Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, Geneva, 1956; Article 1 (c); Ratified in 1958, *Official Gazette of FNRI — International contracts and other agreements*, No. 7/58.

163 UN, Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, Article 1 (c).

164 *Ibid*, Article 2.

165 United Nations, Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages, 1964, Article 1; Ratified in 1964, *Official Gazette of SFRJ — International contracts and other agreements*, No. 13/64.

166 UN General Assembly, Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 1979.

167 CEDAW, Article 16 (2).

168 UN General Assembly, Convention on the Rights of the Child, 1989, Article 1.

men and women must be 18 and require from states to eliminate exceptions related to the minimum age for marriage, regardless of parents' consent¹⁶⁹.

However, it is evident that numerous international conventions and the activities of their respective committees have not been sufficient to ensure elimination of child marriages worldwide. Therefore, following the report of the OHCHR on prevention and elimination of child, early and forced marriages, the UN General Assembly adopted Resolution 68/148 — Child, early and forced marriages¹⁷⁰.

Child, early and forced marriage have also been addressed at the Council of Europe (CoE) level. Resolution 1468 (2005) of the Parliamentary Assembly of the Council of Europe on Forced marriages and child marriages¹⁷¹ expresses deep concern “about the serious and recurrent violations of human rights and the rights of the child which are constituted by forced marriages and child marriages”. The CoE Parliamentary Assembly urged the national parliaments of the CoE member states to adapt their domestic legislation, if appropriate, so as to:

- fix at or raise to 18 years the minimum statutory age of marriage for women and men;
- make it compulsory for every marriage to be declared and entered by the competent authority in an official register;
- institute an interview between the registrar and the bride and groom prior to the celebration of the marriage and allow a registrar who has doubts about the free and full consent of either or both parties to summon either or both of them separately to another meeting;
- refrain from recognizing forced marriages and child marriages contracted abroad except where recognition would be in the victims' best interests with regard to the effects of the marriage, particularly for the purpose of securing rights which they could not claim otherwise; [and]
- facilitate the annulment of forced marriages and possibly automatically annul such marriages¹⁷².

In addition, Resolution 1740 (2010) of the Parliamentary Assembly of the Council of Europe on the situation of Roma in Europe and relevant activities of the Council of Europe¹⁷³ urged states to “ensure that Roma girls are given equal opportunities in education, in particular secondary education, which too many Roma girls are obliged to drop out of because of parental and/or community pressure linked to early marriage, teenage pregnancies, and household and family responsibilities”¹⁷⁴; to “address the problem of domestic violence within the Roma community as a priority, in particular violence against women and girls, as well as human rights violations constituted by forced and child marriages”¹⁷⁵, and called on the Roma community to fight discrimination and violence against Roma women and girls, especially regarding domestic violence and forced and child marriages¹⁷⁶.

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¹⁶⁹ CEDAW Committee, General Recommendation No. 21, 1994.

¹⁷⁰ UN General Assembly, Resolution on Child, Early and Forced Marriages, A/RES/68/148, 2014.

¹⁷¹ Parliamentary Assembly of the Council of Europe, Resolution 1468 (2005) on Forced marriages and child marriages, <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=17380&lang=en>, accessed on 9 June 2016.

¹⁷² Ibid, 14.

¹⁷³ Parliamentary Assembly of the Council of Europe, Resolution 1740 (2010) on the situation of Roma in Europe and relevant activities of the Council of Europe, <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=17875&lang=en>, accessed on 9 June 2016.

¹⁷⁴ Ibid, 16.4.

¹⁷⁵ Ibid, 17.4.

¹⁷⁶ Ibid, 24.

Finally, the Council of Europe Convention on preventing and combating violence against women and domestic violence¹⁷⁷ recognizes and prescribes civil consequences of forced marriages, and states that “parties shall take the necessary legislative or other measures to ensure that marriages concluded under force may be voidable, annulled or dissolved without undue financial or administrative burden placed on the victim”¹⁷⁸. Also, states are required to take measures to ensure the criminalization of forced marriages.

4.2 National legal framework

Marriage, family relations, and child rights in Serbia are regulated by the Constitution and the Family Law, although some provisions can also be found in other laws. The Constitution of the Republic of Serbia¹⁷⁹ guarantees the equality of women and men and the policy of developing equal opportunities¹⁸⁰. According to the Constitution, everyone has “the right to decide freely on entering or dissolving a marriage, and marriage is entered into based on the free consent of man and woman before the state body”. In addition, the “contracting, duration or dissolution of marriage” is “based on the equality of man and woman”; common-law union is equal with marriage by law¹⁸¹; and everyone has the freedom to choose whether or not to procreate¹⁸². Parents have the right and duty to support and provide an upbringing and education to their children in which they are equal¹⁸³.

A person comes of age upon turning 18¹⁸⁴, when full legal capacity is obtained. A child enjoys “human rights suitable to their age and mental maturity”¹⁸⁵, and is “protected from psychological, physical, economic and any other form of exploitation or abuse”¹⁸⁶. Children under the age of 15 cannot “be employed, nor may children under 18 years of age be employed at jobs detrimental to their health or morals”¹⁸⁷. The right to education is guaranteed for everyone, with free and mandatory primary education, and free secondary education¹⁸⁸. In addition, the right to protection of mental and physical health is guaranteed, while “health care for children, pregnant women, mothers on maternity leave, single parents with children under seven years of age and elderly persons [is] provided from public revenues unless it is provided in some other manner in accordance with the law”¹⁸⁹.

The rights of the child, as special and independent personal rights, were introduced in the Serbian legal framework in 2005 by the adoption of the Family Law¹⁹⁰. Everyone has an obligation to act in the child’s best interest in all activities connected to the child; “the state is obliged to undertake all necessary measures to protect the child from neglect, from physical, sexual and emotional abuse and from every form of exploitation”, as well as to “respect, protect and advance” child rights¹⁹¹.

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177 Council of Europe, Convention on preventing and combating violence against women and domestic violence, 2011, <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=090000168046031c>, accessed on 9 June 2016.

178 Ibid, 32.

179 *Official Gazette of the Republic of Serbia* No. 98/2006.

180 Constitution of the Republic of Serbia, Article 15.

181 Ibid, Article 62.

182 Ibid, Article 63.

183 Ibid, Article 65 (1).

184 Ibid, Article 37 (2).

185 Ibid, Article 64 (1).

186 Ibid, Article 64 (3).

187 Ibid, Article 66 (4).

188 Ibid, Article 71 (1-2).

189 Ibid, Article 68 (1-2).

190 *Official Gazette of the Republic of Serbia* No. 18/2005, 72/2011 — other law and 6/2015.

191 Family Law, Article 6 (1-3).

Marriage is defined as “cohabitation of a man and a woman governed by law”, which “may be concluded only upon the free consent of future spouses”, who have equal rights¹⁹². Common-law union (non-marital cohabitation) is defined as “the sustained cohabitation of a man and a woman between whom there are no marriage impediments”, and “cohabitees have the rights and duties of spouses”¹⁹³. The Family Law prescribes that a “woman has the right to freely decide on birth”¹⁹⁴.

The minimum age for marriage in Serbia is related to obtaining full legal capacity, and is set at 18 years of age. Hence, minor age is a marriage impediment. Although marriage cannot “be concluded by a person who has not reached eighteen years of age”, there is an exception. It is prescribed that “a court may, for justified reasons, permit a minor who has reached sixteen years of age, and who has reached the physical and mental maturity necessary to perform the rights and duties of marriage, to conclude a marriage”¹⁹⁵.

The court decides on the permissions for concluding a marriage before reaching the age of majority in non-contentious proceedings¹⁹⁶. The proceeding is initiated by a petition of the person who does not meet the legal condition for concluding a valid marriage, or by a joint petition when neither person meets the prescribed condition, i.e. between 16-18 years of age. The court then investigates all the relevant circumstances for determining whether there exists free will and the wish of the minor to conclude marriage, as well as whether the minor has achieved the physical and mental maturity necessary for exercising the rights and duties of marriage. During the course of the proceedings, the court obtains the opinion of a health care organization; establishes appropriate cooperation with the guardianship authority; and questions the petitioner, his/her parents or guardian, and the person whom the minor wishes to marry. The court shall, as a rule, hear the minor without the presence of other participants, and may examine personal qualities, financial status, and other relevant circumstances of the person whom the minor wishes to marry. Finally, the court decides whether a minor should be granted permission to marry or not. It is important to note that parents’ consent is not required. However there is insufficient data on how court practice actually takes place; therefore, this requires further research and analysis of court decisions and supporting documentation, particularly where Roma are involved, as well as an understanding of whether data about such cases is disaggregated.

The Criminal Code¹⁹⁷ prohibits common-law marriage with a minor¹⁹⁸. Namely, an adult living in a common-law marriage with a minor shall be punished with imprisonment up to three years. The same penalty is prescribed for a parent, adoptive parent or guardian who enables or induces a minor to cohabit with another person or, if the criminal offence was committed for gain, with imprisonment between six months and five years. However, it is prescribed that there will be no criminal prosecution if marriage is contracted later. Additionally, if criminal prosecution has already been initiated, it will be suspended upon the conclusion of the marriage.

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¹⁹² Ibid, Article 3.

¹⁹³ Ibid, Article 4.

¹⁹⁴ Ibid, Article 5.

¹⁹⁵ Ibid, Article 23 (1-2).

¹⁹⁶ Regulated in detail by the Law on Non-Contentious Proceedings; *Official Gazette of the SRS* No. 25/82 and 48/88 and *Official Gazette of the RS* No. 46/95 — other law, 18/2005 — other law, 85/2012, 45/2013 — other law, 55/2014, 6/2015 and 106/2015 — other law.

¹⁹⁷ *Official Gazette of the Republic of Serbia* No. 85/2005, 88/2005 — correction, 107/2005 — correction, 72/2009, 111/2009, 121/2012, 104/2013 and 108/2014.

¹⁹⁸ Criminal Code, Article 190.

Despite the fact that the normative and institutional legal framework in Serbia is aligned with international standards, and significant positive steps have been made, child, early and forced marriages still exist. Both the CRC and CEDAW Committees have also pointed out this issue.

In its Concluding observations regarding the Serbian Initial report on the implementation of the Convention on the Rights of the Child for the period 1992-2005, the CRC Committee expressed concern about “the negative attitudes and prejudices of the general public and about the overall situation of children of minorities and in particular Roma children”¹⁹⁹. One of the recommendations was to “raise awareness in Roma communities of the value of the girl child, her right to access education without discrimination as well as her right to be protected from early marriage and its harmful impact”²⁰⁰. In addition, the CEDAW Committee in its Concluding observations on the Combined second and third periodic reports of Serbia remained concerned that “no progress has been achieved in preventing early and forced (arranged) marriages among the Roma population and other minority groups”²⁰¹. Therefore, the Committee urged Serbia to take all necessary measures to prevent “early and forced (arranged) marriages among minority groups, in particular Roma, and increase awareness among such communities and social workers on the negative effects of early marriage on women’s health and education”²⁰². Further, the Committee recommended that Serbia “review its Criminal Code to ensure that concluding a void marriage and enabling entry into unlawful marriage are prohibited and adequately sanctioned”²⁰³.

Recognizing the existence of the problem of child marriages, in particular among the Roma population, and bearing the Committees’ recommendations in mind, the issue of child, early and forced marriages has been addressed in three existing strategies.

The National strategy for gender equality for the period 2016-2020 with an Action plan for the period 2016-2018²⁰⁴, defines as one goal²⁰⁵ advancing the position of women discriminated on multiple bases and vulnerable groups of women. Measures for the realization of this goal include, inter alia, active work on the prevention of early and forced marriages, especially for Roma women and young women, and provision of support to young women and young mothers for continuation of schooling. Activities contributing to the prevention of early and forced marriages, especially in the Roma community, are planned for 2017. The main activities are: 1) education of social workers and employees in educational and health sectors on the harmful effects of early and forced marriages; 2) education of parents and young girls on the prohibition, sanctioning, and harmful effects of early and forced marriages, which will be conducted by health mediators, pedagogical assistants and Roma coordinators; and 3) establishment of teams for support to girls and young women at risk of early and forced marriage (the team comprises a Roma coordinator, health mediator and pedagogical assistant). The foreseen activities seem to be appropriate and adequate, but one evident challenge is that the Coordination Body for Gender Equality has the main responsibility for the realization and implementation of activities. Mandating such a high-

199 Committee on the Rights of the Child, Concluding observations on Serbia (2008), CRC/C/SRB/CO/1, <http://www2.ohchr.org/english/bodies/crc/docs/co/CRC.C.SRB.CO.1.pdf>, Article 75, accessed on 9 June 2016.

200 Ibid, 76 (e).

201 CEDAW, Concluding observations on Serbia (2013), CEDAW/C/SRB/CO/2-3, Article 38 (a), http://www.gendernet.rs/files/dokumenta/Engleski/Reports/CEDEW_concluding_observations_2013_engl.pdf, accessed on 9 June 2016.

202 Ibid, 39 (a).

203 Ibid, 39 (b).

204 Government of the Republic of Serbia, *Nacionalna strategija za rodnu ravnopravnost za period od 2016. do 2020. godine sa akcionim planom za period od 2016. do 2018. godine*, <http://www.mgsi.gov.rs/lat/dokumenti/nacionalna-strategija-za-rodnu-ravnopravnost-za-period-od-2016-do-2020-godine-sa-akcionim>, Belgrade: Ministry of Construction, Traffic, and Infrastructure, accessed on 9 June 2016.

205 Specific goal 2.6.

level body for those activities might be seen as very positive; however, operationalization of the activities needs to be at a lower level. As stated in the National strategy, the Coordination Body for Gender Equality is in charge for coordination of all three activities, and the implementing partners are the Office for Human and Minority Rights, the Ministry of Labour, Employment, Veteran and Social Affairs, and all local self-governments. In addition, for the period June–December 2016, two activities have been planned for the realization of the measure regarding support to young women and young mothers for the continuation of schooling and employment. First, local self-governments are to conduct mapping of underage mothers and mothers under the age of 24 who have dropped out of school, and later the ministry in charge of youth is to organize activities aimed at informing young women about employment possibilities, social entrepreneurship, etc.

The Action plan for the implementation of the Strategy for prevention and protection against discrimination for the period 2014-2018²⁰⁶ prescribes a measure to introduce different contents and modalities of work that promote anti-discriminatory behaviour and values, and develop competencies for life in a democratic society²⁰⁷. Under this measure, several special measures are envisaged, including introducing sexuality education and education on reproductive health, and preventing early pregnancy and early marriage. Although the realization of this special measure was planned for 2015²⁰⁸, there is no evidence that anything has been done in this regard in the only available report on monitoring the implementation of the Action plan for the implementation of the Strategy on prevention and protection against discrimination for the period 2014-2018 for the fourth quarter of 2014 and the first quarter of 2015²⁰⁹.

Finally, the Strategy for social inclusion of Roma in the Republic of Serbia 2016-2020²¹⁰, as part of its section on social security, has a specific objective to improve access to social security services and availability of financial aid for the purpose of reducing poverty and increasing social involvement of Roma men and women in the local community²¹¹. Measures for the realization of this goal are being drafted a new National strategy for prevention of violence against children and child protection, with a clear plan to cover Roma children who live in informal Roma settlements, and advancing the system of prevention and support to reduce the number of child and forced marriages and adolescent pregnancies in the Roma community.

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206 Office of Human and Minority Rights, *Action plan for the implementation of the Strategy for prevention and protection against discrimination for the period 2014-2018*, http://www.ljudskaprava.gov.rs/images/pdf/propisi_i_strategije/Akcioni_plan_-_engleski.pdf, accessed on 9 June 2016.

207 Measure 4.1.1. under Goal 4.1 Education and Professional Education training.

208 Implementing parties: MESTD, OHMR, CSOs and IOs (UNICEF and others — Care International).

209 Office of Human and Minority Rights, <http://www.ljudskaprava.gov.rs/index.php/yy/projekti-l/konkursi/74-strategija-zaborbu-protiv-diskriminacije/114-strategija-prevenicije-i-zastite-od-diskriminacije>, accessed on 11 June 2016.

210 Government of the Republic of Serbia, *Strategy for social inclusion of Roma in the Republic of Serbia 2016-2020*, Belgrade: Social Inclusion and Poverty Reduction Unit, <http://sociojalnoukljucivanje.gov.rs/en/roma-inclusion-strategy-adopted/>, accessed on 11 June 2016.

211 Specific objective 5 under Goal 5.5 Social security.

5 Overview of national evidence on the causes and drivers of child marriage specific to different population groups

The causes and drivers of child marriage in Serbia are very similar to those around the world. Gender-based discrimination, structural inequality, poverty, lack of education, accepted cultural practices, inadequate institutional responses to child marriage, and many other factors contribute to child marriages.

The CEDAW Committee in its Concluding Observations²¹² noted that the Action plan (2010-2015) for the implementation of the National strategy for the improvement of the status of women and promotion of gender equality includes measures aimed at recognizing, preventing and solving the problems of child marriages, forced (arranged) marriages and the practice of selling brides. The Committee expressed its concerns that “no progress has been achieved in preventing early and forced (arranged) marriages among the Roma population and other minority groups”, and that “the amendments to the Criminal Code in 2009 abolished articles on concluding a void marriage and on enabling to enter into unlawful marriage”²¹³. Thus, the Committee urged Serbia:

To take all measures necessary to implement the provision of its Action Plan aimed at preventing early and forced (arranged) marriages among minority groups, in particular Roma, and to increase awareness among such communities and social workers of the negative effects of early marriage on women’s health and education;

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²¹² CEDAW, *Concluding Observations on the Second and third Report of the implementation of the CEDAW Convention in the Republic of Serbia*, CEDAW/C/SRB/CO2-3, 2013, http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fSRB%2fCO%2f2-3&Lang=en, accessed 10 June 2016.

²¹³ *Ibid*, 38 (a–b).

To review its Criminal Code to ensure that concluding a void marriage and enabling to enter into unlawful marriage are prohibited and adequately sanctioned²¹⁴.

In Serbia, child marriage is usually attributed to the Roma community, and recent data (Census, MICS) show that the incidence of child marriages is significantly higher among Roma compared to the general population. Child marriage was very common in this region throughout history, but the development of international and national legislation contributed to its eradication, together with major social changes and the improvement of the position of women that took place in our societies. According to available research data from the 1980s, the Roma family is at the bottom of the societal ladder in regards to the most important indicators of social position (economic, educational, political power, participation, etc.). Members of the Roma community marry very early, boys at the age of 15, and girls as early as 12-13²¹⁵, and this practice was spread throughout the SFRY. Since child marriages are illegal, in addition to the fact that the “spouses” are too young, thus without proper education and unemployed — which further contribute to poverty — they usually live with parents in extended families. This type of extended family is common not only in patriarchal societies, but also in poor communities. Usually the oldest man in the family is the head of the household, deciding all important issues; meanwhile, as stated in the research, “the position of Roma women is determined by customary law, and having in mind that she is treated as an object (buying/selling), she is at risk of exploitation”²¹⁶.

It should be noted that Roma women’s organizations have observed that the problem of early marriages exists among the Roma population and some other minorities, e.g. the Vlachs in Eastern Serbia²¹⁷. It is perceived that the problem of child marriages used to exist among the Vlach minority earlier, but no longer does²¹⁸. However, some authors have noted that it is very challenging to obtain data on child and early marriages in northeastern Serbia, regardless of the method of information collection (informal or official)²¹⁹. Based mostly on the conversations with employees in local registry offices, we can conclude that early marriages still exist in the local community, especially among the poorest families living in remote villages, but are not widespread. In addition, there is some evidence that child marriage still exists in other parts of Serbia. The Center for social welfare in Bajina Bašta implemented a project aimed at preventing arranged marriages of minors in rural municipal areas, including an awareness-raising campaign at the local level, since it is recognized that unregistered arranged marriages of minors aged 14 to 16 have been deeply rooted in customary/traditional practice in rural areas in this region of Serbia. Such evidence indicates that these customs should not be attributed to Roma communities only²²⁰.

More data are available on child and early marriages in the Roma community. In order to understand the position of Roma women in Serbia, first it should be emphasized that women in general in Serbia, although legally equal to men, still face gender-based discrimination in

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214 Ibid, 39 (a–b).

215 Aleksandra Mitrović, “Marriage and family relations of Roma as a factor of their social status”, *Sociologija sela* 23, 1985.

216 Ibid.

217 Roma Women Network, *Shadow Report on the position of Roma women in Serbia to the CEDAW Committee*, *Women Space*, 2013, available at: <http://www.zenskiprostor.org/en/news/157-roma-women-network-members-present-the-shadow-report-on-the-position-of-roma-women-in-serbia-to-the-cedaw-committee>, accessed on 10 June 2016.

218 Dragan Stojmenović, “Underage marriages — Socio-health problems in the municipality of Bor villages (Slatina i Zlot)”, *Timočki medicinski glasnik* 29(1), 2004.

219 Ibid.

220 Biljana Branković, *Mapping capacities of specialized organisations that support victims of gender-based violence: The first step towards establishing the national SOS helpline*, 2012, cited in *Shadow Report to the CEDAW Committee*, Roma Women Network, 2013.

all spheres of public and private life. As noted in the Special Report on Discrimination against Women by the Commissioner for the Protection of Equality²²¹, women are lacking in the public sphere, especially in decision-making positions, and they are insufficiently represented in the executive branch at all levels. They face discrimination in education, employment, working conditions, and access to health and social services; they are victims of gender-based violence and sexual harassment; and portrayals of women in the media are sexist, sensationalistic and full of stereotypes. Women discriminated against on multiple bases — such as women with disabilities, Roma women, older women, girls and migrant women — are in a worse position than women from the general population²²².

Roma women face multiple discrimination: on the one hand, their immediate community gives them many roles (mother, housewife, wife, and caretaker), while putting her into “lower” position, that is to say not appreciating her assigned roles. On the other hand, there is the wider society, almost always an unfriendly environment with a discriminatory attitude towards Roma²²³. Burdened by centuries-old traditions and by the heritage of the patriarchal Balkan environment, the Roma woman today has a very difficult task to reconcile the two realities in which she lives, and each time support is missing — when struggling for the right to education, the right to freedom of movement, the right to employment, the right to family planning and adequate health protection, the right to life without violence, and the right to choose a partner²²⁴. One of the reasons for early marriages is an expectation that a Roma woman should be a virgin when entering into a marriage. As stated previously, the cult of virginity is still very present within the Roma community. Premarital sexual relations are forbidden for girls, while boys are encouraged to have them²²⁵. The virginity of a bride is verified, and if the girl is not a virgin, she is returned to her parents and excluded from the community²²⁶. Child marriage among Roma has placed this community in a judged position in the wider society, which blames the phenomenon on their culture and tradition. This is also one of the reasons for the inadequate institutional response to child marriages in the Roma community, since this practice is perceived as a Roma-specific tradition that needs to be dealt with within the Roma community²²⁷.

Available data from MICS research²²⁸ show that the practice of child marriage is something that affects mainly girls from Roma settlements while it is marginal in the general population. The MICS indicator for early marriage counts the percentage of women married before the age of 15 within the population of women aged 15-49. Only 0.8% of women aged 15-49 were married before 15, compared to 16.9% of women from Roma settlements. Additional available data shows that 0.2% of girls aged 15-17 were married before age 15, while that was the case for 15.2% of girls from Roma settlements²²⁹.

Also, there is a significant difference between women from the general population and women living in Roma settlements when it comes to early entry into the first marriage/common-law union. Among women aged 20-49 who have ever been married or in union, the first marriage

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²²¹ Commissioner for the Protection of Equality, Special report on discrimination against women, Belgrade: Commissioner for the Protection of Equality, 2015, available at: <http://ravnopravnost.gov.rs/sr/izve%C5%A1taji/izve%C5%A1taji>, accessed 10 June 2016.

²²² Ibid.

²²³ Vera Kurtić, *Virginity — Freedom of choice*, Belgrade: Bibija Roma Women’s Center, 2006.

²²⁴ Ibid.

²²⁵ Ibid.

²²⁶ Ibid.

²²⁷ Observatory for Children’s Rights, *Child Marriage in Albania — Specific view to Roma Community*.

²²⁸ Marija Babović, *Gender aspects of Life Course in Serbia seen through MICS data*, Belgrade: UNICEF, 2015, available at: http://www.unicef.org/serbia/Gender_aspects_of_MICS_October_2015.pdf, accessed 11 June 2016.

²²⁹ Ibid.

occurred before the age of 18 for almost 6.8% of women from the general population and 57% of women living in the Roma settlements²³⁰ (see Table 2).

Prevalence of child marriage among women in Serbia, in percentage²³¹

Table 2	Married by 15		Married by 18	
	General population	Roma settlements	General population	Roma settlements
	0.8	16.9	6.8	57

Another underlying cause of early marriages is **poverty**. As stated in the Strategy for social inclusion of Roma in the Republic of Serbia²³², poverty represents a major threat to human dignity and freedom of personality, destroys all aspects of human life (economic, social, political, cultural), and substantially endangers the exercise of human rights: to life, to equality and non-discrimination, to an adequate standard of living, to work, to education, and to maintaining a high standard of physical and mental health. The long-term unfavourable social context has exposed all Serbian citizens to a risk of poverty, Roma citizens being among the most vulnerable. Roma are faced with social exclusion and poverty, and are exposed to different forms of open as well as covert discrimination.

Data concerning the socio-economic status of Roma are scarce, outdated and unsystematic, usually collected only partially; data on poverty in Serbia do exist, but do not include information about the ethnic structure of poor citizens in Serbia²³³. Therefore, it is difficult to assess the real dimensions of Roma poverty, but it could be concluded that Roma are among the poorest citizens.

With that in mind, it should be added that marriage decisions among the Roma sometimes are influenced by economic incentives in the form of a bride price, in which the groom's family pays the bride's family a price for a marriageable girl²³⁴. The bride price is determined by multiple factors, including whether the bride was a virgin, the appearance of the bride, the reputation of the family, the wealth and property status of both the groom's and bride's family, and the level of acquaintance between the two families. This practice remains common within Roma settlements in Serbia²³⁵.

Research studies show that the practice of child marriage depends also on the **household wealth**²³⁶. In 2010, 24.3% of females living in the poorest quintile of households were married by age 15, compared to 12.4% of those in the middle wealth group and 3% of those in the richest wealth group. In addition, 68% of Roma women aged 20-24 years in the poorest wealth group were married before age 18, compared to 55.5% in the middle wealth group and 35.1% in the richest wealth group²³⁷. Among Roma women 20-24 years of age, the practice of child marriage was also found to be more prevalent in **rural areas** than in urban areas, 63.8% and 54.1% respectively²³⁸.

230 UNICEF, *Serbia MICS 2014 and Serbia Roma Settlements MICS 2014*, Statistical Office of the Republic of Serbia and UNICEF, 2014, http://www.unicef.org/serbia/Serbia_2014_MICS_National_and_Roma_Settlements_Eng_20141218.pdf, accessed 13 June 2016.

231 MICS indicators: 8.4 percent of women age 15-49 were first married or in union before age 15, and 8.5 percent of women age 15-49 were first married or in union before age 18.

232 Government of the Republic of Serbia, *Strategy for social inclusion of Roma in the Republic of Serbia 2016-2020*.

233 Ibid.

234 David R. Hotchkiss et al, Risk factors associated with the practice of child marriage among Roma girls in Serbia, Belgrade: UNICEF, 2015.

235 Ibid.

236 Ibid.

237 Ibid.

238 Ibid.

For comparison purposes, data from the MICS 2014 show similar values, with 22.7% of females living in the poorest quintile of households married by age 15, compared to 14% of those in the middle wealth group and an increase to 15.3% of those in the richest wealth group²³⁹.

Education is strongly associated with the prevalence of child marriages. Due to the belief that their daughters need to prepare for marital life and motherhood, Roma parents often withdraw them from school while they are still very young (12-14 years old). Furthermore, Roma girls face additional discrimination in relation to education, since adequate measures for Roma educational inclusion and prevention of school drop-out need to be created and/or implemented²⁴⁰. This situation is reflected in the **primary school dropout rate** among girls from Roma settlements. Only half of Roma children enrolled in primary school transit to secondary school, and the gender disparity is notable. While 72% of Roma boys transit to secondary school, this applies to only 40% of girls from Roma settlements²⁴¹. The situation is even worse in secondary education; there is a trend of lower attainment of a secondary school education especially among poor children and Roma. The net attendance ratio is the least favourable for girls in Roma settlements and boys in the poorest wealth index quintile. Only one fifth of Roma children of appropriate age attend secondary school, and only 4.7% from the poorest wealth quintile do so²⁴². Moreover, the **lack of role models** for educated girls in the family or in the community can also be defined as an obstacle, combined with the lower educational status of their parents, which may influence their motivation for decisions regarding educating girls.

As with the causes, the consequences of child marriage for Roma girls in Serbia are comparable to those identified in the rest of the world. The consequences appear at an individual level, affecting girls, but also at the societal level — loss in productivity and earnings, higher costs for social benefits and basic health care, etc. Married girls are deprived of their fundamental rights to health, education and safety. Child marriage is also closely connected to **early childbearing**, which may cause serious health risks. Significantly higher percentages of Roma women give birth very early (before the age of 15 or 18)²⁴³. According to available data, the **fertility rate** for women aged 15-19 is 22 per 1,000 women in the general population and as high as 157 in Roma settlements. Childbearing before 15 occurs in 0.3% of the general population and 5.1% in the Roma settlements, while the percentage is much higher for childbearing before 18: 4% in the general population and 38.1% in Roma settlements. It should be noted regarding early childbearing that in the general population, the prevalence is higher among women with only a primary education and those living in the poorest wealth quintile. Among Roma women, the prevalence is lowest among women with secondary/higher education and those living in the middle wealth quintile²⁴⁴.

Regarding the use of **birth control**, research shows that the link between a woman's girl's education level and the number of children she has underscores the importance of educating girls and young women to increase their awareness of reproductive health and family planning. In Serbia, among women from the general population, knowledge about modern and traditional contraception methods is high across all age groups, while women from Roma settlements are generally less informed about various contraception methods²⁴⁵. It should be emphasized that almost 90% of Roma women are familiar with modern contraception methods, but women from the youngest

239 UNICEF, *Serbia MICS 2014 and Serbia Roma Settlements MICS 2014*.

240 World Health Organization Division of Noncommunicable Diseases and Health Promotion, "Child Marriage".

241 UNICEF, *Serbia MICS 2014 and Serbia Roma Settlements MICS 2014*.

242 Ibid.

243 Ibid.

244 Marija Babović, *Gender aspects of Life Course in Serbia seen through MICS data*, UNICEF, Belgrade, 2015

245 Ibid.

category (18-24 years), lag behind older age groups in knowledge about contraception²⁴⁶. The prevalence of induced abortions is much higher among women from Roma settlements than among women from the general population. Among young women (18-24 years) in the general population the prevalence of abortion is 1%, reaching as high as 30% in the oldest category of women (41-49 years), while the prevalence rate in the youngest group (18-24 years) from Roma settlements is 11% and in the oldest group (41-49 years) more than half the women had at least one induced abortion during their life course²⁴⁷.

Violence against women is one of the gravest violations of women's rights. It is closely connected to child marriage as women who marry younger are more likely to be beaten or threatened, and more likely to believe that sometimes a husband is justified if he beats his wife. Domestic violence is more common among women who had been married as children²⁴⁸. In Serbia, young married Roma women face domestic violence, not only from their husbands, but also from their in-laws, since Roma families are often large, with several generations living together in a household²⁴⁹. Violence against women is widespread in Serbia: one in two women was/is/will be a victim of violence during her life²⁵⁰. Although violence against women is legally prohibited, institutional responses to the violence are still insufficient and inadequate. Data on attitudes toward domestic violence²⁵¹ show that 3.8% of women believe that it is justified for a husband to beat his wife, primarily if she neglects their children. The majority of these women live in rural areas, have lower education, and belong to the poorest quintile. There are significant differences between the general population and Roma as regards attitudes towards violence. As many as 37% of Roma women believe that it is justified for husband to beat his wife, and a majority of them are women with lower education living in the poorest households²⁵².

Upon marrying, usually the girl will have **to leave her education**. If a girl is married before she completes education, her chances of finding employment and achieving a career are limited, which further contributes to the perpetuation of the cycle of poverty²⁵³. Early marriage increases the **economic dependence** of Roma women in the family, since the lack of education and useful vocational skills prevents her from finding suitable employment, deepening the level of poverty and making her more exposed to the risk of violence²⁵⁴. Since the percentage of employed women is decreasing in the general population, Roma women have even **slimmer chances to be employed**. Data show that in 2011 there were 140 inactive for every 100 active persons in Serbia, while in the Roma population these numbers were 257 inactive (primarily dependent) persons for every 100 active, and as many as 59% of the total active Roma are not employed, which is significantly above the national average of 22.4%²⁵⁵. There is a significant gender difference among active Roma who perform a profession, of which men make up 77.5% and women 22.5%, and a significant difference compared to the general active population performing an occupation (men 57.9% and women 42.1%)²⁵⁶.

246 Ibid.

247 Ibid.

248 UNICEF, *Early marriage — A harmful traditional practice: a statistical exploration*.

249 UNFPA, *Child marriage in Serbia (Overview)*.

250 Sigurna kuća, more information available at: http://www.sigurnakuca.net/nasilje_nad_zenama/nasilje_nad_zenama_u_srbiji/rasprostranjenost_nasilja_nad_zenama_u_srbiji.169.html.

251 UNICEF, *Serbia MICS 2014 and Serbia Roma Settlements MICS 2014*.

252 Ibid.

253 World Health Organization Division of Noncommunicable Diseases and Health Promotion, "Child Marriage".

254 Bibija Roma Women's Centre, *(Pre)rani brakovi — Životne priče Romkinja*, Belgrade: Bibija Roma Women's Center, 2016.

255 Government of the Republic of Serbia, *Strategy for social inclusion of Roma in the Republic of Serbia 2016-2020*.

256 Svetlana Radovanović and Aleksandar Knežević, *Roma in Serbia*, 2014, cited in: Bibija Roma Women's Centre, *(Pre)rani brakovi — Životne priče Romkinja*.

The **role of the public authorities** is also very controversial when Roma girls are subjected to early marriage. Some authors note that unwillingness to strongly intervene, impede and sanction these marriages happens by either “turning a blind eye” on them based on plain neglect, or agreeing that “this is a Roma tradition, their internal issue”.²⁵⁷ The Serbian legal system has mechanisms within different systems in place that should react in cases of child marriage, i.e. schools, centres for social welfare, police, and public prosecutors. However, it is clear that existing laws are not being implemented adequately, since child marriage still exists among the Roma community. Considering that child marriage is illegal, it could be assumed that partners may try to avoid public authorities, but there are plenty of possibilities for different public authorities and services to uncover such a practice²⁵⁸. Regarding criminal liability, as stated previously, the Serbian Criminal Code prohibits common-law marriage with a minor²⁵⁹. In practice, few people convicted of this charge face imprisonment. In 2014, 108 persons were reported for the criminal offence of common-law marriage with a minor. Seventy-seven of them were convicted, but of these, in 56 cases there was a suspended sentence, 13 persons received prison sentences, five were sentenced to a fine, one to ordered to do community service, and two received warnings²⁶⁰. These statistics clearly portray the lenient treatment this criminal offence receives in the criminal justice system²⁶¹.

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²⁵⁷ Observatory for Children’s Rights, *Child Marriage in Albania — Specific view to Roma Community*.

²⁵⁸ Bibija Roma Women’s Centre, *(Pre)rani brakovi — Životne priče Romkinja*.

²⁵⁹ Criminal Code, Article 190

²⁶⁰ Bibija Roma Women’s Centre, *(Pre)rani brakovi — Životne priče Romkinja*

²⁶¹ UNFPA, *Child Marriage in Serbia (Overview)*.

6 Overview of interventions implemented in Serbia

It has already been emphasized that the normative and institutional legal framework in Serbia is aligned with international standards regarding equality and the prohibition of discrimination. The development of a modern legal framework has brought several improvements; however, child, early and forced marriages still exist in Serbia. Research studies show that child marriage is significantly more represented within the Roma community, and affects Roma girls disproportionately.

Followed by the concluding observations and recommendations of the Committee on the Rights of the Child and the Committee on the Elimination of Discrimination against Women, the issue of child, early and forced marriages has been addressed in three newly adopted strategies: the National strategy for gender equality for the period 2016-2020, the Strategy for prevention of and protection against discrimination for the period 2014-2018 and the Strategy for social inclusion of Roma in the Republic of Serbia 2016-2020.

Until recently, the problem of child marriages was almost invisible in Serbia. Except for UNICEF's MICS²⁶² and the Bibija Roma Women's Centre's research on virginity from 2006²⁶³, no reliable data could be found in the literature on the prevalence of child marriages.

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²⁶² Available on the internet presentation of the UNICEF Office in Serbia: http://www.unicef.rs/files/Publikacije/mics4_srb_nov.%202022.%202012.pdf, and the Statistical Office of the Republic of Serbia, <http://webzrzs.stat.gov.rs/WebSite/userFiles/file/Aktuelnosti/MICS/Srbija%202014%20MICS%20Rezime.pdf>, accessed on 7 June 2016.

²⁶³ Vera Kurtić, *Virginity — Freedom of choice*.

Not surprisingly, very few interventions had been made with regards to child marriages in Serbia, and almost all of them have been undertaken by Roma women's civil society organizations. In addition, interventions have been made at the level of recognition of the problem, which constitute the very first step in addressing this harmful practice. In light of that, it is evident that effective practices for combating child marriage, particularly in the Roma population, have yet to be created and implemented in Serbia. Since a small number of projects have been implemented on child, early and forced marriages, projects and/or specific activities will be briefly presented.

Roma Women's Centre Bibija is the pioneer and leader in the protection of Roma women's human rights, with the main goal of making visible the problems faced by Roma women in society, the local community, and the family²⁶⁴. In 2006, Bibija conducted research on the cult of virginity among Roma in Serbia²⁶⁵, the first of its kind in the region, and published their findings, which, among other things, tackled the issue of child marriage. In 2013, the Roma Women Network²⁶⁶ led by Bibija submitted a Shadow Report to the CEDAW Committee, titled *Roma Women Speak Out*²⁶⁷. This report analyses areas relevant for Roma women, such as education, employment, health protection, equality in marriage and family life, protection from violence and discrimination, political participation, the position of women marginalized on multiple bases within the Roma community, the adequacy of existing mechanisms, etc. The committee was informed that no efficient institutional measures had been undertaken to prevent harmful traditional/customary practices (early marriage, betrothal of minors, arranged marriage, forced marriage, "selling brides"):

The problem of early marriages among Roma population and some other minorities (e.g. Vlachs in Eastern Serbia) has been largely neglected and overlooked by institutions. Our experience, based on extensive field work in Roma settlements, shows that such practice has (often) been accepted by Centers for Social Work as "tradition among Roma", which could not or should not be prevented²⁶⁸.

In 2015, the Roma Women's Centre Bibija implemented a short project²⁶⁹, *Early marriages: A violation of Roma women's rights*, with an overall objective to put this issue very high on the agenda in order to contribute to the advancement of the Roma community and Roma women. The project held various workshops, informative sessions and other activities, including interviews with 25 Roma women who were married early, to raise awareness of the detrimental consequences of child marriage to young women's reproductive and mental health, as well as to raise awareness of human rights and women's rights, especially the right to education, free choice of a partner, health protection, participation in decision-making, etc. One of the final products was the publication (*Too*) *Early marriages: Life stories of Roma women*²⁷⁰, which consists of an overview of the international and national legal framework, a description of the problem in Serbia followed by recommendations to address identified challenges, and life stories of Roma women who were married as children.

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264 More information available at: <http://www.bibija.org.rs/>

265 Vera Kurtić, *Virginity — Freedom of choice*.

266 More information available at: <http://www.zenskiprostor.org/en/news/157-roma-women-network-members-present-the-shadow-report-on-the-position-of-roma-women-in-serbia-to-the-cedaw-committee>

267 Bibija Roma Women's Center, *Roma women speak out*, 2013, available at: http://www.bibija.org.rs/images/PDF/BIBIJA_Romkinje_Progovaraju.pdf, accessed 8 June 2016.

268 Ibid.

269 Supported by the Canadian Fund for Local Initiatives, more information available at: <http://www.bibija.org.rs/projekti/zenska-ljudska-prava/86-rani-brakovi-krsenje-prava-romkinja>

270 Bibija Roma Women's Centre, *(Pre)rani brakovi — Životne priče Romkinja*.

Romani Cikna Kruševac²⁷¹ has been established to enforce the integration of Roma women into the community through activities aimed at advancement of their social, economic, health, education and cultural status. This organization advocates for the promotion and protection of human and women's rights, multiculturalism, Roma women's activism, participation of Roma women in decision-making processes, etc. In 2015, Romani Cikna published a collection of life stories of Roma women who were married very young²⁷², in order to contribute to the elimination of early, forced and agreed marriages in the Roma community. The main goals were to highlight the problem of early marriages, to stop the practice of silence, and to stress that early marriages happen regularly and cannot be considered a private problem.

Ternipe Pirot²⁷³ works on the integration of Roma men and women into society, with a special focus on youth and women. They organize different activities and public events that raise awareness of human rights, human trafficking, and early and child marriages. In the beginning of 2016, Ternipe implemented the project *Choose Your Own Path*. The main goal of this project was to raise the awareness and education of young Roma women, as well as the awareness of the community and representatives of local public authorities about the prevention of early and forced marriages, prevention of school drop-out, and continuation of schooling. Several activities were held during the project, aimed at different beneficiaries and stakeholders: educative workshops for young Roma girls; public debates for the Roma community, non-governmental organizations, local public authorities (from the municipal, social, health and education systems) and the media; and projection of the documentary *Little Brides* for elementary school pupils. It is worth noting that in Surdulica, following the public debate that was held, Roma NGOs agreed to establish a fund financed from their own budgets to support young Roma in attending secondary schools and tertiary education. This result is noteworthy, although the fund is not meant as a gender-specific special measure for Roma girls only.

Association of Roma Novi Beče²⁷⁴ is a feminist organization that through activism, knowledge and specialized services empowers Roma and other minority women to live without violence in Vojvodina. As of January 2016, the organization started with the implementation of a project supported by the UN Trust Fund to End Violence Against Women called *No more victims – Roma girls and women respond to violence*. Among its regular activities (including an SOS line in minority languages and free legal aid for women victims of violence), this project has an important component on advocating for the elimination of early and forced marriages in the Banat region. Through cooperation with the provincial authorities, a campaign highlighting this problem has been planned, as well as distribution of promotional materials that will be created by Roma women victims of violence and early marriages. In addition, five public actions are envisaged per year, pointing out the specific and difficult position of Roma girls and women.

NGO Praxis²⁷⁵ protects human rights by providing legal protection and advocating for the elimination of systemic obstacles in access to rights. It acts in the area of personal status and socioeconomic rights, antidiscrimination, gender equality, migration and child rights. Throughout 2016 Praxis is conducting activities directed at the prevention and elimination of child, early and forced marriages, and the main activities focus on raising awareness of Roma children and parents of potential risks and consequences of child marriages, as well as on advocacy for the

271 More information available at: <http://romanicikna.com/o-nama/>

272 Romani Cikna, *Collection of true stories: This is something not spoken about*, Kruševac: Romani Cikna, 2015.

273 More information: <http://mrza.info/association-ternipe-pirot/>

274 More information: <http://udruzenjeromanb.org.rs/o-nama>

275 More information: <http://www.praxis.org.rs/index.php/en/about-us/what-is-praxis>

prevention and elimination of those practices at the local and national level²⁷⁶. In May 2016, municipal meetings were held in Leskovac and Požarevac, in order to gather all the relevant actors in this issue at the local level, so that together possible solutions to the problem of child, early and forced marriages could be identified.²⁷⁷ The meetings were organized in such a way as to provide an overview of the problem of child, early and forced marriages in Serbia, the region and the world. They particularly emphasized, on the one hand, local and international regulations governing the rights of the child, marriage and family relations, as well as the roles and responsibilities of the authorities to prevent the neglect of children and violence against children, as well as examples of good practice. All this was led by the idea of formulating a policy proposal that would lead to the prevention and elimination of children, early and forced marriages.

NGO Atina²⁷⁸ is dedicated to respecting the human rights of victims of human trafficking and gender-based violence, and the cooperation and participation of victims throughout the process of influencing the root causes of trafficking, such as: relations in the primary and secondary family, poverty, previous experiences of marginalization and discrimination, deprivation of basic rights, unemployment and educational deprivation. In 2016, Atina and the **Foundation Ana i Vlade Divac** published *Child marriages in Serbia: Analysis and recommendations*²⁷⁹, and emphasized the link between child marriage and human trafficking as a part of the project *Stop Child Marriages in Serbia*.

Belgrade Centre for Human Rights and **YUROM Center Niš** jointly implemented a project entitled *The Role of Education in Preventing Child Marriage of Roma Girls* to draw attention to the phenomenon of early and child marriages and its negative impact on the enjoyment of child's rights²⁸⁰. The main idea of the project was to work on the prevention of child marriages by focusing on education, thus workshops were conducted in five elementary schools.

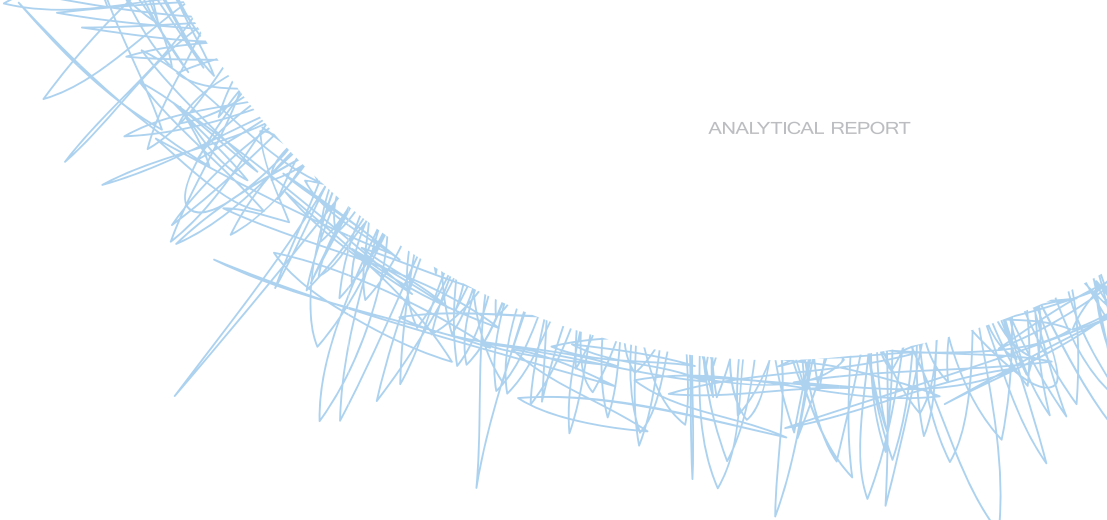
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 276 Praxis, "Praxis implements the project aimed at prevention and elimination of child, early and forced marriage", <http://www.praxis.org.rs/index.php/en/praxis-in-action/child-rights/item/1001-praxis-implements-the-project-aimed-at-prevention-and-elimination-of-child-early-and-forced-marriages>

277 Praxis, "Praxis held community meetings on prevention and elimination of child, early and forced marriage", <http://www.praxis.org.rs/index.php/en/praxis-in-action/child-rights/item/1046-praxis-held-community-meetings-on-prevention-and-elimination-of-child-early-and-forced-marriages>

278 More information: <http://www.atina.org.rs/en/about-us>

279 Milan Aleksić, *Dečiji brakovi u Srbiji — Analiza i preporuke*, Belgrade: NGO Atina and Foundation Ana and Vlade Divac, 2016, available at: <http://atina.org.rs/sr/de%C4%8Diji-brakovi-u-srbiji>, accessed on 9 June 2016.

280 More information available at: <http://www.bgcentar.org.rs/obrazovanjem-ka-preveniciji-ranih-brakova-kod-pripadnicakaromske-zajednice/>, accessed 5 July 2016.



7 Mapping of the main actors that should be involved in this type of work in Serbia

As mentioned above, interventions and activities aimed at prevention of and protection from child marriage are rare in Serbia, and almost all activities so far have been implemented by **Roma women's civil society organizations**. It could be said that Roma women's NGOs are the main actors involved in ending child marriage currently in Serbia; they should be supported to continue their work on this cause, not only financially for different project activities, but also through different trainings and workshops in order to build their own capacities for better dealing with this sensitive issue.

In addition to Roma women's organizations, there are several other very important actors that should be involved in combating child marriage. The **school/education system** is one of the main actors due to its role and influence in every society at different levels — from schools that directly influence at the local level to the ministry in charge of education at the national level. Teachers and other educational staff are in daily contact with children, and their influence on both children and their parents could be crucial. Since elementary school is mandatory, schools are obliged to report if a child is absent from school, which is one method to prevent drop-out. They should also be aware and monitor early signs that a child might drop out of school, so as to react in a timely manner and prevent this through engagement with the child, the family and the community. In addition, teachers are role models for pupils, thus teachers are able to shape a child's attitude and opinion on different topics, including child marriage. Furthermore, Roma pedagogical assistants were introduced in the education system a few years ago, and they should be an important resource for schools in addressing the problem of child marriage. Also, the school curriculum should be changed so as to include education on reproductive health,

methods of contraception, sexual and reproductive rights, as well as discrimination, tolerance, gender stereotypes and gender inequality²⁸¹. Nowadays there is a consensus that education is of utmost importance for elimination of child marriage²⁸². Therefore, the education system needs to address school drop-out, and ensure that married girls have flexible options to continue their schooling.

Centres for social welfare/social protection system also have a very important role in prevention of child marriage. Different social benefits are obtained through these centres, thus employees get to know families and their specific situation, and should be able to recognize girls at risk of leaving education and at risk of early marriage. Also, schools inform centres for social welfare on children's attendance of school, which provides a basis for the centre's employees to visit families and gain deeper insight into the family situation. Moreover, centres have certain legal mechanisms (e.g. the Protocol for protection of children from abuse and neglect) that should be activated in cases of child marriage, and every suspicion should be reported to the police. In addition, the ministry in charge of social policy may propose different measures for prevention of child marriages, based on data collected and provided by local centres. It should be emphasized that the centre for social welfare is a very important link between different systems, which is an advantage that should be used in establishing multisectoral cooperation for preventing child marriage.

The **health care system**, in addition to basic health care services, provides counselling services for youth, including on sexual and reproductive health, family planning, contraception, health risks of early pregnancy, etc. However, counselling services are usually available only in urban areas, thus the health care system should make its services more available in rural areas, and especially in Roma communities. It should be noted that health mediators serve as an important resource connecting the health care system and the Roma community. Furthermore, health institutions, particularly gynaecologists and maternity hospitals, have an important role regarding early pregnancies, thus some measures could be introduced in order to contribute to the elimination of early marriages.

The **police** are another important actor regarding child marriages. In light of the fact that child marriage is prohibited — meaning that 18 years of age is the age of consent, with the exception of court permission when the legally set age of consent is changed to 16 — it is evident that the police have a mandate to react in situations of reported union with a minor. As mentioned in the Shadow Report to the CEDAW Committee²⁸³ and other reports²⁸⁴, the main challenge in the police proceedings might be the existence of prejudice and stereotypes towards Roma, including the perception of child marriages as a Roma-specific tradition that should not be interfered with. Zero tolerance to child marriage is needed, among all involved actors, including the police. The quality of police work is crucial for the implementation of laws, and every suspicion of child marriage must be investigated thoroughly and well documented, in close cooperation with centres for social welfare, keeping in mind the best interests of the child as a paramount leading principle.

The **judicial system/public prosecutors and judges** play a very important role in protection from child marriage, since enacting legislation to address child marriage is a first step in combating

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281 UNFPA, *Child Marriage in Serbia (Overview)*.

282 Judith-Ann Walker, *Why ending child marriage needs to be an education goal*, Center for Universal Education, Washington, DC: Brookings Institute, 2013, http://www.brookings.edu/~media/Research/Files/Reports/2013/12/improving-learning-outcomes-girls-africa/walker_girls_education.pdf?la=en, accessed 13 June 2016.

283 Bibija Roma Women's Center, *Roma women speak out*.

284 Praxis, Reports from meetings in Leskovac and Požarevac, 2016

child marriages. However, as in other cases of violence against girls and women, prosecutors and judges must have an in-depth understanding of the problem and must be able to implement laws in an appropriate and gender-sensitive manner. The court plays an integral role in implementing legislation prohibiting child marriages, as it bears the ultimate responsibility for case outcomes. A court that is strong and committed to implementing legislation prohibiting child marriages must also use its authority to demonstrate publicly the civil and criminal justice system's commitment to effectively addressing crimes of violence against girls and women²⁸⁵.

In addition, **local self-governments** have their own role in the prevention of child marriages, since it is important for the local community as well as for society as a whole to be aware of and educated about child marriage. Local self-governments have data on their citizens, the number of children enrolled in schools from their territory, and other significant data on families that should be taken into account when creating special measures to combat child marriage²⁸⁶.

Local communities and Roma communities' leaders are key actors in this regard. Changing attitudes and practice is a very slow process that should be initiated by the community rather than imposed on the community. It is important to have as many prominent and respected Roma leaders as possible who will both advocate against child marriage and promote different life options for young Roma.

As with other important social issues, the role of **the media** is crucial in addressing the problem of early and child marriages. These topics are usually neglected, receiving virtually no media attention at all. On the other hand, when the media do report on child marriages it is usually connected with Roma customs and tradition, rather than presented as a human rights violation. In addition, as some research studies from the region show, sometimes media reporting leaves the impression that Roma women indulge in their situations: being "supported", having many children, not attending school, not developing themselves professionally, etc.²⁸⁷ The media need to be a reliable ally in combating early and child marriages, from acknowledging and highlighting the problem to raising awareness of this harmful practice among both the general population and the Roma community.

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²⁸⁵ UN Women, Virtual knowledge centre to end violence against women and girls, *Role of judges*, <http://www.endvawnow.org/en/articles/783-roles-of-judges.html?next=784>, accessed 15 June 2016.

²⁸⁶ As per Serbian legislation, it is not mandatory to register marriages, as common-law unions are also recognized. Marriage certificates are issued in cases of valid marriage, so in cases of child marriage this procedure would not be applicable.

²⁸⁷ Centrul Romilor pentru Interventie Sociala si Studii, *Are the rights of the child negotiable: The case of early marriages within Roma communities in Romania*.

8 Recommendations

In order to plan interventions for child marriage in Serbia, it is necessary to collect additional information, since the current scarcely available data show that the problem of child marriage exists in Serbia, in particular within the Roma community. However, more information is required so that tailor-made interventions can be created and implemented.

According to the Girls Not Brides²⁸⁸ universal theory of change for child marriage programming, for effective combating of child marriage it is necessary to empower girls, mobilize families and communities, provide services, and establish and implement law and policies.

8.1 Further research

Research on socio-economic, attitudinal and other factors in the Roma community

Research that would help in the better planning of interventions should be conducted with Roma girls and women, but also within the Roma community, so that the community itself can be mobilized to end the practice of child marriage. One of the most important things is research on Roma parents/community members' attitudes toward child marriages, in particular on the underlying causes of such a practice. Further, the main reasons for marrying off their young daughters would need to be understood, as would, more importantly, what would avert them from such a decision. It would be very useful to understand the reasoning of Roma parents who have supported their daughters to stay in education, in order to grasp the crucial differences that ensure Roma girls' education.

Research into the knowledge, attitudes and behaviour of girls

Additionally, data could be collected on what information and skills Roma girls and women find useful and important for their everyday lives, current or future careers, family and social life, and participation in society at the broadest level. Further exploration on why they do not have this

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²⁸⁸ UNFPA & UNICEF, *Mapping of child marriage initiatives in South Asia*, Washington, DC: UNFPA, 2016, http://reliefweb.int/sites/reliefweb.int/files/resources/Mapping%20of%20Child%20Marriage%20Initiatives%20in%20South%20Asia_0.pdf, accessed on 15 June 2016.

information and skills, as well as who should provide them, when and how, would be useful. Girls could also be asked about their role models, persons they admire, their plans for the future, life options as they see them and how they imagine themselves in 10 years.

Finally, one part of data collection could focus on support networks. Roma girls and women should be asked about the kind of support they are lacking, as well as who should provide them that support, when and how. In addition to Roma girls, it is crucial to involve Roma women who were married early, since they are able to define problems they faced and possible solutions they deem necessary to prevent the continuation of child marriage.

Research on accessibility and quality of formal schooling for girls

Since research²⁸⁹ shows that Roma girls are more likely to drop out of school, it would be necessary to conduct more in-depth research on major obstacles in accessing and staying in schools for Roma girls. This research could include Roma girls currently enrolled in schools, as well as Roma women who are without education or who have a low level of education, together with their families and wider Roma communities.

8.2 Improving the knowledge and evidence base for fostering and enabling the legal and policy framework

Before creating activities for the implementation of a strategy for prevention of child marriage, additional data is required in relation to the current legislative and policy framework and its implementation.

Laws, by-laws and protocols

A comprehensive desk review on the legal and policy framework regulating child marriages is needed, including by-laws and protocols from different sectors — social protection, health care, law enforcement and judiciary.

Social welfare

One part of further data collection could focus on practices of social welfare centres regarding child marriages. Ideally, this would include not only the attitudes of social workers and other experts employed in the social protection system about the issue, but also their actual practice from the case files. Furthermore, cases including Roma girls and non-Roma girls who are subjected to child marriages (and non-marital unions) could be inspected and compared in order to determine potential differences in practice.

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289 Accessibility and quality of schooling is very important for every child. According to a study conducted by the Institute for Psychology (*Analysis of factors affecting the dropout rate from primary and secondary education*, Belgrade: Faculty of Philosophy, Institute for Psychology, 2013), the growth of the drop-out rate is affected by the socio-economic status of the wider local community; the highest percentages of drop-out have been identified in the most underdeveloped municipalities. The most important risk factors for drop out have been identified as inadequate learning support in the school combined with some of following factors: poverty, low educational aspiration and low school valuing in the family (girls, Roma), family problems, and/or developmental difficulties or behavioral problems.

Law enforcement

Data collection on police practices regarding child marriage is also needed. As with the social protection system, cases including Roma girls and non-Roma girls who are subjected to child marriages could be analysed and compared in order to determine whether there are differences in police practices.

Judicial system

Data would also need to be collected on public prosecution practices, as well as court decisions on child marriages. Since currently there is a very limited number of cases and criminal proceedings, newly obtained data, possibly to be collected by a human rights NGO, could include all reported and prosecuted cases in the last few years, while special emphasis could be given to differences in handling cases of Roma and non-Roma girls subjected to child marriage, as well as circumstances or reasoning provided where no action was taken against the parents or guardians. These findings could be used to reinforce positive practices and address weaknesses in the system response.

Education system

Further research would also be necessary to determine the obstacles and bottlenecks that prevent adequate inter-sectoral cooperation in preventing school drop-outs, as well as to create the most appropriate and effective inter-sectoral cooperation²⁹⁰. It would also be important to explore possibilities for developing more flexible catch-up programs or support for girls who got married.

8.3 Further interventions***Empowering girls through provision of information and tailor-made educational programs***

Based on information collected through research on knowledge, attitudes and behaviour, activities aimed at empowering girls through provision of information and tailor-made educational programs should be planned, preferably in close cooperation with Roma NGOs.

Programs for reintegration of girls into education

Planning of interventions that would reintegrate girls into education in cases of drop-out should also be explored and integrated into a wider systemic solution that would prevent dropouts at the national level. Timely and targeted support for the child, school and local community would need to be part of such an intervention.

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290 An analysis of factors affecting the dropout rate from education (Institute for Psychology, *Analysis of factors affecting the dropout rate from primary and secondary education*) has shown that a systemic solution to prevent drop-out at the national level does not exist, nor does a common system for monitoring children from birth through educational institutions which would provide timely and targeted support for the child, school and the local community. An inter-sectoral cooperation of all systems directed at supporting students and schools can compensate for poverty and underdevelopment, and contribute to drop-out prevention.

Offering economic support and incentives for girls and their families

The awareness of different types of support from the social protection system that exist should be examined, as well as difficulties and obstacles that potentially prevent Roma families from receiving it. Furthermore, tailor-made program interventions need to be developed based in response to assessed unmet needs of Roma parents and young girls, and types of economic support or different incentives they believe would contribute to the prevention of child marriages.

Programmes aimed at supporting and empowering underage mothers

Municipalities or local self-governments who are willing to undertake the mapping of underage mothers could be supported in their efforts, and programmes aimed at supporting and empowering these mothers put in place.

A coordinated community response

Considering the complexity of the problem of child marriages, as well the simultaneous interventions required at different levels, it is very important to adequately plan effective and meaningful activities. It would be important to form and maintain a broad nationwide coalition of stakeholders on child marriage led by Roma NGOs. The ideal model for ending child marriage is a community that comes together across sectors, agencies, and civil society groups to develop a commitment to support girls, and start changing practices that are harmful for individuals and, in the long-term, for the whole community. Joint planning and communication is referred to as a “coordinated community response”²⁹¹. Reflecting this commitment to a coordinated community response in action plans, campaigns, inter-agency agreements, local plans, etc., is the best way to ensure that laws and policies are effectively implemented.

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291 UN Women, Virtual Knowledge Centre to End Violence Against Women and Girls, *What is a coordinated community response to violence against women?*, <http://www.endvawnow.org/en/articles/127-what-is-a-coordinated-community-response-to-violence-against-women.html>, accessed on 15 June 2016.

9 References

- Aleksić, M., *Dečiji brakovi u Srbiji — Analiza i preporuke*, Belgrade: NGO Atina and Foundation Ana and Vlade Divac, 2016, available at: <http://atina.org.rs/sr/de%C4%8Diji-brakovi-u-srbiji>, accessed on 9 June 2016.
- Anti-Slavery International, *Out of the shadows: Child marriage and slavery*, London: Anti-Slavery International, 2013, <http://www.ohchr.org/Documents/Issues/Women/WRGS/ForcedMarriage/NGO/AntiSlaveryInternational2.pdf>, cited in: *Preventing and eliminating child, early and forced marriages*, Report of the OHCHR.
- Arigatou International, *Ideas for Action on Ending Child Marriage*, New York: Arigatou International, 2013.
- Babović, M., *Gender aspects of life course in Serbia seen through MICS data*, Belgrade: UNICEF, 2015, available at: http://www.unicef.org/serbia/Gender_aspects_of_MICS_October_2015.pdf, accessed on 11 June 2016.
- Bibija Roma Women's Centre, *(Pre)rani brakovi — Životne priče Romkinja*, Belgrade: Bibija Roma Women's Centre, 2016.
- Branković, B., *Mapping capacities of specialized organisations that support victims of gender-based violence: The first step towards establishing the national SOS helpline*, 2012, cited in *Shadow Report to the CEDAW Committee*, Roma Women Network, 2013.
- Branković, B., *Roma Women Speak Out*, Belgrade: Bibija Roma Women's Center, 2013, available at: http://www.bibija.org.rs/images/PDF/BIBIJA_Romkinje_Progovaraju.pdf, accessed on 8 June 2016.
- CEDAW (Committee on the Elimination of Discrimination against Women (CEDAW), Concluding observations on Serbia (2013), CEDAW/C/SRB/CO/2-3, http://www.gendernet.rs/files/dokumenta/Engleski/Reports/CEDEW_concluding_observations_2013_engl.pdf, accessed on 9 June 2016.
- CEDAW Committee, General Recommendation No. 21, 1994.
- CEDAW, *Concluding Observations on the Second and third Report of the implementation of the CEDAW Convention in the Republic of Serbia*, CEDAW/C/SRB/CO2-3, 2013, http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolNo=CEDAW%2fC%2fSRB%2fCO%2f2-3&Lang=en, accessed on 10 June 2016.
- CEDAW, General recommendation No. 19 on violence against women, 1992.
- Center for Roma Initiatives Nikšić, *Ugovoreni brakovi — Jači od zakona*, Podgorica: Ministry for Human and Minority Rights, <http://crink.me/wp-includes/PDF/Ugovoreni%20brakovi.pdf>, accessed on 4 June 2016.
- Centrul Romilor pentru Interventie Sociala si Studii, *Are the rights of the child negotiable: The case of early marriages within Roma communities in Romania*, Bucharest, 2010, available at: http://www.unicef.org/romania/Early_marriages_Romani_CRISS.pdf, accessed on 3 June 2016.
- Chief Nzamane, "Why traditional chiefs like me must stand against child marriage", *Chime for Change*, 2013, <http://www.chimeforchange.org/story/why-traditional-chiefs-like-me-must-stand-against-child-marriage/?pillar=justice>, accessed on 6 June 2016.

Child Ombudsman of the Republic of Srpska, *Special report — Problems and risks of underage marriages*, Banja Luka: Child Ombudsman of the Republic of Srpska, 2010.

Commissioner for the Protection of Equality, Special report on discrimination against women, Belgrade: Commissioner for the Protection of Equality, 2015, available at: <http://ravnopravnost.gov.rs/sr/izve%C5%A1taji/izve%C5%A1taji>, accessed on 10 June 2016.

Committee on the Rights of the Child (CRC), Concluding observations on Serbia (2008), CRC/C/SRB/CO/1, <http://www2.ohchr.org/english/bodies/crc/docs/co/CRC.C.SRB.CO.1.pdf>, accessed on 9 June 2016.

Constitution of the Republic of Serbia, *Official Gazette of the Republic of Serbia*, No. 98/2006.

Council of Europe, *Convention on preventing and combating violence against women and domestic violence*, 2011, <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=090000168046031c>, accessed on 9 June 2016.

Council of Europe, *European Convention on Human Rights*, Rome, 1950.

Criminal Code, *Official Gazette of the Republic of Serbia*, No. 85/2005, 88/2005 — correction, 107/2005 — correction, 72/2009, 111/2009, 121/2012, 104/2013 and 108/2014.

de Silva de Alwis, R., “Child marriage and the law”, *Legislative Reform Initiative Paper Series*, New York: UNICEF, January 2008, cited in: *Preventing and eliminating child, early and forced marriages*, Report of the OHCHR.

Erulkar, A. S. & Muthengi, E., *Evaluation of Berhane Hewan: A pilot program to promote education & delay marriage in rural Ethiopia*, *Int Perspect Sex Reprod Health*. 2009 Mar;35(1):6-14

Fejza, H., *Virginity — Features and concepts in Kosovo society*, Orlando: American Academy of Clinical Sexologists, 2013, available at: <http://www.esextherapy.com/dissertations/Hajrullah%20Fejza%20MD%20MPH%20Virginity%20Features%20And%20Concepts%20In%20Kosovo%20Society.pdf>, accessed on 3 June 2016.

Girls Not Brides, *Child marriage around the world: Senegal*, <http://www.girlsnotbrides.org/child-marriage/senegal/>, accessed on 6 June 2016.

Government of the Republic of Serbia, *Anti-discrimination strategy for 2013-2018*, Belgrade: Office for Human and Minority Rights, <http://www.ljudskaprava.gov.rs/index.php/you/projekti-l/konkursi/74-strategija-za-borbu-protiv-diskriminacije/114-strategija-prevenције-i-zastite-od-diskriminacije>, accessed on 11 June 2016.

Government of the Republic of Serbia, Family Law, *Official Gazette of the Republic of Serbia*, No. 18/2005, 72/2011 — other law and 6/2015.

Government of the Republic of Serbia, *Nacionalna strategija za rodnu ravnopravnost za period od 2016. do 2020. godine sa akcionim planom za period od 2016. do 2018. godine*, <http://www.mgsi.gov.rs/lat/dokumenti/nacionalna-strategija-za-rodnu-ravnopravnost-za-period-od-2016-do-2020-godine-sa-akcionim>, Belgrade: Ministry of Construction, Traffic, and Infrastructure, accessed on 9 June 2016.

Government of the Republic of Serbia, *Strategy for social inclusion of Roma in the Republic of Serbia 2016-2020*, Belgrade: Social Inclusion and Poverty Reduction Unit, <http://socijalnoukljucivanje.gov.rs/en/roma-inclusion-strategy-adopted/>, accessed on 11 June 2016.

Government of the Republic of Serbia. Law on non-contentious proceedings, *Official Gazette of the SRS*, No. 25/82 and 48/88 and *Official Gazette of the RS* No. 46/95 — other law, 18/2005 — other law, 85/2012, 45/2013 — other law, 55/2014, 6/2015 and 106/2015 — other law.

Hotchkiss, D. R., Godha, D., Gage, A. J., & Cappa C., "Risk factors associated with the practice of child marriage among Roma girls in Serbia", Belgrade: UNICEF, 2015.

Institute for Psychology, *Analiza faktora koji utiču na osipanje iz osnovnog i srednjeg obrazovanja*, Faculty of Philosophy, Belgrade, 2013.

Institute of Public Health of the Republic of Macedonia & UNICEF, *MICS 2011, Macedonia*, Skopje: Ministry of Health, Ministry of Education and Science, and Ministry of Labour and Social Policy, 2011.

International Center for Research on Women (ICRW), *Child Marriage Facts and Figures*, <http://www.icrw.org/what-we-do/adolescents/child-marriage>, accessed on 31 May 2016.

Kumrova, T. (ed.), *Early marriage — Culture or abuse?*, Veliko Tamovo: Amalipe Center for Interethnic Dialogue and Tolerance, 2015, available at <http://early-marriage.eu/sys/wp-content/uploads/2016/04/Early-marriage-Culture-or-Abuse-Research-Analysis-Report.pdf>, accessed 2 June 2016.

Kurtić, V., *Virginity — Freedom of choice*, Belgrade: Bibija Roma Women's Centre, 2006.

Malhotra, A., Warner, A., McGonagle, A., & Lee-Rife, S. *Solutions to end child marriage — What the evidence shows*, Washington, DC: International Center for Research on Women (ICRW), 2011.

McCarthy, J., "How 1 App is saving 100s of girls from child marriage", *Global Citizen*, 2016, <https://www.globalcitizen.org/en/content/child-marriage-gender-inequality-india-rescue/>, accessed on 6 June 2016.

Mitrović, A., "Marriage and family relations of Roma as a factor of their social status", *Sociologija sela* 23, 1985.

Nanda, P., Datta, N., & Das, P., *Impact of Conditional Cash Transfers on Girls' Education*, New York: ICRW, 2014.

Observatory for Children's Rights, *Child Marriage in Albania — Specific view to Roma Community*, Observatory for Children's Rights, 2015.

Office of Human and Minority Rights, *Action plan for the implementation of the Strategy for prevention and protection against discrimination for the period 2014-2018*, http://www.ljudskaprava.gov.rs/images/pdf/propisi_i_strategije/Akcioni_plan_-_engleski.pdf, accessed on 9 June 2016.

Olson, C., *16 ways of preventing and intervening in child marriages*, *The Pixel Project*, <http://16days.thepixelproject.net/16-ways-of-preventing-and-intervening-in-child-marriages/>, accessed on 6 June 2016.

Parliamentary Assembly of the Council of Europe, Resolution 1468 (2005) on forced marriages and child marriages, <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=17380&lang=en>, accessed on 9 June 2016.

Parliamentary Assembly of the Council of Europe, Resolution 1740 (2010) on the situation of Roma in Europe and relevant activities of the Council of Europe, <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=17875&lang=en>, accessed on 9 June 2016.

Parsons, J. & McClearly-Sills, J., *Preventing child marriages: Lessons from World Bank Group Gender Impact Evaluations*, enGENDER IMPACT, Washington, DC: World Bank Group, <http://www.worldbank.org/content/dam/Worldbank/document/Gender/enGENDER%20IMPACT%20-%20Research%20Brief%20Early%20Marriage%2008.07.pdf>, accessed on 4 June 2016.

Praxis, "Praxis implements the project aimed at prevention and elimination of child, early and forced marriage", <http://www.praxis.org.rs/index.php/en/praxis-in-action/child-rights/item/1001-praxis-implements-the-project-aimed-at-prevention-and-elimination-of-child-early-and-forced-marriages>, accessed on 7 October 2016.

Praxis, "Praxis held community meetings on prevention and elimination of child, early and forced marriage", 2016, <http://www.praxis.org.rs/index.php/en/praxis-in-action/child-rights/item/1046-praxis-held-community-meetings-on-prevention-and-elimination-of-child-early-and-forced-marriages>, accessed on 7 October 2016. Radovanović, S. & Knežević, A., *Roma in Serbia*, 2014, cited in: *(Pre)rani brakovi — Životne priče Romkinja*, Belgrade: Bibija Roma Women's Center, 2016.

Roma Women Network, *Shadow Report on the position of Roma women in Serbia to the CEDAW Committee, Women Space*, 2013, available at: <http://www.zenskiprostor.org/en/news/157-roma-women-network-members-present-the-shadow-report-on-the-position-of-roma-women-in-serbia-to-the-cedaw-committee>, accessed on 10 June 2016.

Romani Cikna, *Collection of true stories: This is something not spoken about*, Kruševac: Romani Cikna, 2015.

Romanian Sexual and Reproductive Rights Coalition, Global Justice Institute New & Sexual Rights Initiative, Submission for 15th Session of the Universal Periodic Review — Romania.

Rothman, S. (2005) cited in: Fejza, H., *Virginity — Features and concepts in Kosovo society*, LAP LAMBERT Academic Publishing 2014.

Sakiti da Silva, I., *Senegal growing up over marriage*, Rome: Inter Press Service, <http://www.ipsnews.net/2013/02/senegal-growing-up-over-marriage/>, accessed on 7 June 2016.

Secretariat Girls Not Brides, *Report to the Office of High Commissioner for Human Rights on child, early and forced marriage*, <http://www.ohchr.org/Documents/Issues/Women/WRGS/ForcedMarriage/NGO/GirlsNotBridesSecretariat.pdf>, accessed on 29 May 2016.

Sorensen, K., *Global perspectives, targeted priorities, ending child marriage*, Global Gender Network Meeting in Dhaka.

Stojmenović, D., "Underage marriages — Socio-health problems in the municipality of Bor villages (Slatina i Zlot)", *Timočki medicinski glasnik* 29(1), 2004.

UN, Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages, 1964; Ratified in 1964, *Official Gazette of SFRJ — International contracts and other agreements*, No. 13/64.

UN, Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, Geneva: UN, 1956; Ratified in 1958, *Official Gazette of FNRJ — International contracts and other agreements*, No. 7/58.

UN General Assembly, Convention on the Elimination of all Forms of Discrimination against Women, 1979.

UN General Assembly, Convention on the Rights of the Child, 1989.

UN General Assembly, Human Rights Council, A/HRC/26-22, 2 April 2014, *Preventing and eliminating child, early and forced marriages*, Report of the Office of the UN High Commissioner for Human Rights, www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session26/Documents/A-HRC-26-22_en.doc, accessed on 27 May 2016.

UN General Assembly, International Covenant on Civil and Political Rights, Resolution 2200A (XXI), 1966.

- UN General Assembly, International Covenant on Economic, Social, and Cultural Rights, Resolution 2200A, 1966.
- UN General Assembly, *Resolution on child, early and forced marriages*, A/RES/68/148, 2014.
- UN General Assembly, Universal Declaration of Human Rights, Res. 217, UN Doc. A/810, 1948.
- UN Women, Virtual Knowledge Centre to End Violence against Women and Girls, *Child protection provisions*, <http://www.endvawnow.org/en/articles/58-child-protection-provisions.html>, accessed on 7 June 2016.
- UN Women, Virtual Knowledge Centre to End Violence against Women and Girls, *Definition of forced and child marriage*, <http://www.endvawnow.org/en/articles/614-definition-of-forced-and-child-marriage.html>, accessed on 7 June 2016.
- UN Women, Virtual Knowledge Centre to End Violence Against Women and Girls, *Role of judges*, <http://www.endvawnow.org/en/articles/783-roles-of-judges.html?next=784>, accessed 15 June 2016.
- UN Women, Virtual Knowledge Centre to End Violence Against Women and Girls, *What is a coordinated community response to violence against women?*, <http://www.endvawnow.org/en/articles/127-what-is-a-coordinated-community-response-to-violence-against-women.html>, accessed on 15 June 2016.
- UNDP, *Avoiding the dependency trap: Roma in Central and Eastern Europe*, Bratislava: UNDP, 2002.
- UNFPA, *Child Marriage in Bosnia and Herzegovina (Overview)*, Sarajevo: UNFPA Bosnia and Herzegovina, 2012.
- UNFPA, *Child Marriage in Serbia (Overview)*, Belgrade: UNFPA Serbia, 2012.
- UNFPA, *Child Marriage in the Former Yugoslav Republic of Macedonia (Overview)*, Skoplje: UNFPA FYRM, 2012.
- UNFPA, *Entering marriage with children or early marriage — Kosovo*, Priština: UNFPA Kosovo, 2012.
- UNFPA, *Marrying too young — End child marriage*, New York: UNFPA, 2012.
- UNFPA & UNICEF, *Mapping of child marriage initiatives in South Asia*, Washington, DC: UNFPA, 2016, http://reliefweb.int/sites/reliefweb.int/files/resources/Mapping%20of%20Child%20Marriage%20Initiatives%20in%20South%20Asia_0.pdf, accessed on 15 June 2016.
- UNICEF Gender Action Plan 2014-2017, *Ending Child Marriage*, New York: UNICEF, E/ICEF/2014/CRP.12 from 15th April 2014.
- UNICEF, *Committing to child survival: A promise renewed, Progress report*, September 2012, cited in: UNICEF, *Preventing and eliminating child, early and forced marriages*, Report of the Office of the UN High Commissioner for Human Rights.
- UNICEF, *Early Marriage — a harmful traditional practise: A statistical exploration*, New York: UNICEF, 2005.
- UNICEF, *MICS 2011-2012, Bosnia and Herzegovina*, Sarajevo: UNICEF, 2014.
- UNICEF, *MICS 2011-2012, Bosnia and Herzegovina: Roma survey*, Sarajevo: UNICEF, 2014.
- UNICEF, *MICS 2013-2014, Roma, Ashkali and Egyptian Communities in Kosovo (UNSCR 1244)*, Priština: UNICEF and Kosovo* Agency for Statistics, 2014.
- UNICEF, *MICS 2013-2014, Kosovo (UNSCR 1244)*, Priština: UNICEF and Kosovo* Agency for Statistics, 2014.

UNICEF, *MICS 2013, Montenegro and Montenegro Roma Settlements*, Podgorica: UNICEF Montenegro, 2014.

UNICEF, *Research on the social norms which prevent Roma girls from access to education*, Sofia: UNICEF, 2016.

UNICEF, *Serbia MICS 2014 and Serbia Roma Settlements MICS 2014*, Belgrade: Statistical Office of the Republic of Serbia and UNICEF, 2014, http://www.unicef.org/serbia/Serbia_2014_MICS_National_and_Roma_Settlements_Eng_20141218.pdf, accessed on 13 June 2016.

UNICEF, *Study on educational obstacles in Montenegro: Roma and Egyptian children*, Ipsos Strategic Marketing, 2013.

UNICEF, Submission to the Report of the Office of the UN High Commissioner for Human Rights *Preventing and eliminating child, early and forced marriages*, New York: UN General Assembly, 2014.

UNICEF, *Trafficking in children in Kosovo — A study on protection and assistance provided to children victims of trafficking*, Priština: UNICEF Kosovo, 2004.

United Nations (UN) General Assembly, *Transforming our world: The 2030 Agenda for Sustainable Development*, New York: United Nations, 2015, <https://sustainabledevelopment.un.org/post2015/transformingourworld>, accessed on 27 May 2016.

United Nations Foundation, *Berhane Hewan: Reducing Child Marriage in Ethiopia*, <https://www.globalgiving.org/projects/berhane-hewan-reducing-child-marriage-in-ethiopia/>, accessed on 4 June 2016.

United Nations Population Fund (UNFPA), *Child Marriage in Albania (Overview)*, UNFPA, 2012.

USAID, *Ending child marriage & meeting the needs of married children: The USAID vision for action*, Washington, DC: USAID, 2012.

Walker, J., *Why ending child marriage needs to be an education goal*, Center for Universal Education, Washington, DC: Brookings Institute, 2013, http://www.brookings.edu/~media/Research/Files/Reports/2013/12/improving-learning-outcomes-girls-africa/walker_girls_education.pdf?la=en, accessed on 13 June 2016.

World Vision, *Untying the knot: Exploring early marriage in fragile states*, Middleton: World Vision UK, 2013.

World Health Organization Division of Noncommunicable Diseases and Health Promotion, "Child Marriage", *Entre Nous: The European Magazine for Sexual and Reproductive Health* 76, Copenhagen: WHO Regional Office, 2012, http://www.euro.who.int/__data/assets/pdf_file/0007/178531/Entre-Nous-76-Eng-v2.pdf, accessed on 3 June 2016.

Zibani, Nadia, "Ishraq: Safe spaces for girls to learn, play and grow", Maadi: Population Council, http://www.ittf.com/ittf_development/Ishraq_Booklet_Last_Version_April05.pdf, accessed on 7 October 2016.