

CEFM Statement on Panel on Family

JOINT STATEMENT ON CHILD EARLY AND FORCED MARRIAGE

PANEL ON PROTECTION OF THE FAMILY AND ITS MEMBERS

27TH SESSION OF THE HUMAN RIGHTS COUNCIL

15 September 2014

I have the honour to speak on behalf of the core group comprising of Argentina, Canada, Ethiopia, Honduras, Italy, Maldives, Montenegro, Netherlands, Poland, Sierra Leone, Switzerland, United Kingdom, Uruguay and Zambia.

The Universal Declaration for Human Rights and the International Covenants state that the family is the natural and fundamental group unit of society and is entitled to protection by society and the State. These instruments, which refer as well to the specific rights of the members of the family, including with regard to marriage, motherhood and children, must be considered together with other relevant international human rights instruments.

It is unfortunate that in all regions of the world, violence often occurs also in the context of families, especially towards women, children and the elderly. In some cases, women who are raped are forced to marry the perpetrator and coerced into forming a family. Child, early and forced marriage, sexual abuse of children and female genital mutilation of girls also take place in the context of the family or due to a decision by adult members of the family.

Last year the Human Rights Council recognized that the practice of child, early and forced marriage constitutes a violation, abuse or impairment of human rights, that it prevents individuals from living their lives free from all forms of violence and that it has adverse consequences on the enjoyment of human rights.

The Council also recalled States' human rights obligations and commitments to prevent and eliminate the practice of child, early and forced marriage, which disproportionately affects women and girls.

As the Office of United Nations High Commissioner for Human Rights has indicated child, early and forced marriage is now widely recognized as a form of gender-based discrimination which disproportionately affects women and girls. It's indeed a practice perpetuated by entrenched adverse customs and traditional attitudes that discriminate against women or place women in subordinate roles to men, or by women's stereotyped roles in society. Girls and young women who challenge, or are perceived as challenging, the power dynamics within the family are often

subjected to severe consequences, including crimes committed in the name of “honour” and other forms of violence.

As it has been noted by UNFPA, underlying conditions include “gender inequality, lack of protection of girls’ human rights, persistent traditions in favour of early marriage, poverty, humanitarian crises and tough economic realities.” Furthermore, deeply embedded cultural beliefs and lack of awareness amongst officials, parents and families about the reasons for legislating against child, early and forced marriage and the harmful consequences of the practice often hinder the application of the legislation.

In this sense, while we agree that the family unit should be protected, it cannot be done at the expense of the human rights of individual family members. States have obligations under international human rights law to take all necessary measures, exercising due diligence to eradicate human rights abuses including within the family. We reiterate our call on all States to take all necessary efforts to that end, including by creating awareness of this harmful practice in order to eradicate it, together with other measures as need.

I thank you.