

Response in preparation for the report pursuant to Resolution A/HRC/24/23 "Strengthening efforts to prevent and eliminate child, early and forced marriage"

The German Federal Government has realised the importance that the issue of forced marriages has in Germany. This importance is obvious not least because those affected by forced marriages - particularly when fleeing from their family - are likely to be exposed to a massive risk for life and limb.

1. Current study – Forced Marriages in Germany

In November 2012, the study "*Zwangsverheiratung in Deutschland – Anzahl und Analyse von Beratungsfällen*" (Forced marriages in Germany - number and analysis of consultation cases) was presented to the public. The study shows that targeted measures must be taken to prevent forced marriages and provide effective support to the persons affected and at risk.

Key results of the study

Analyses reveal that mainly girls and women are affected by and/or at risk of forced marriage, just under 30% of whom at ages up to and including 17 years. The cohort of 18 to 21 year-old females accounts for approx. 40 per cent. Almost all of those counselled have a migration background. In many cases, they are German nationals.

The fact that female victims predominate does not mean that boys and men are not affected by forced marriages. Not least due to traditional male role perceptions, the grey area between "arranged marriage" and "forced marriage" is even harder to explore than in the case of females. Surveys suggest a rate of 6.6% (survey in counselling centres) and 5.2%, respectively (case documentation) of affected males.

The exact number of individuals in Germany who are really at risk of or affected by forced marriage cannot be specified. The figures obtained provide a first idea of the scale of the problem. The study is based on a broad definition of forced marriage that comprises both threats of and accomplished forced marriages, since the risk scenarios tend to be similar. Moreover, it can be assumed that some individuals presented at several counselling facilities, so that the number of clients cannot be exactly assessed. Against this background, counselors in 830 counselling centres and shelters in Germany reported having counseled, in 2008, a total of 3,443 persons on forced marriage. It must be borne in mind, though, that many of those affected will not come forward and go unreported.

The study shows that forced marriages take place within a context of domestic violence. Two thirds of the persons at risk or affected report a history of violence within their family. Females are exposed to similar patterns of violence as males: most prevalent is psychological violence, followed by physical and sexual violence. More than half reported having been exposed to physical assaults to make them submit to the forced marriage, 27% were even threatened with weapons and/or death.

Forced marriages are likely to lead to drop out from school or training. Moreover, those affected are at a great risk of having to live abroad with their future spouse. More than half of the cases documented in the study were marriages concluded abroad.

2. Measures to combat forced marriages

The following measures are already being implemented by the Federal Government and/or the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ):

a) Prevention and intervention measures

To be able to effectively control forced marriages, low-threshold prevention and support services must be put into place. Responsibility for doing so lies first and foremost with the Federal Laender and the municipalities. These must include paedagogical/educational measures, mainly in school but also out of school, to create an awareness of the problem among those potentially affected and the people in their environment.

Until May 2010, the Federal Ministry for Family Affairs had supported an online counselling service on forced marriage as a pilot project. The low-threshold and anonymous counselling offered by this project easily reaches those affected. Moreover, counselling services for the friends of those affected, professional helpers and multipliers were established.

In 2013, the Federal Government set up, as a key measure in combating violence against women, a nationwide telephone helpline dedicated to this problem. Staffed around the clock, multilingual and anonymous, this helpline is designed as a low-threshold, permanent, qualified first-time counselling and referral service for women affected by violence, for their social environment and the (specialist) public. The helpline offers counselling in response to all forms of violence, which implies the issue of forced marriage.

In addition, the Minister of State for Integration has published an information brochure which translates as "The right to freely choose one's partner - guidance for schools in addressing forced marriages" (*Das Recht auf freie Entscheidung bei der Partnerwahl - Leitfaden für Schulen zum Umgang mit Zwangsverheiratungen*). The brochure serves to prepare teachers for discussing the issue of forced marriage and to help them find the right words to reach pupils and potential victims.

b) Legal measures

Legal measures are also necessary to effectively control forced marriages. 1st July 2011 saw the entry into effect of the Act to combat forced marriages and to better protect the victims of forced marriages and to amend further provisions governing residence and asylum law. An improved right to return was introduced to address cases of forced marriages concluded abroad. In an effort to outlaw forced marriages even more strongly than before, forced marriage was made a criminal offence in its own right. Moreover, the period of application for the annulment of a forced marriage was extended.

The guide "Zwangsverheiratung bekämpfen – Betroffene wirksam schützen" (combating forced marriages - effectively protecting those affected) for child and youth services staff helps to clarify responsibilities and choose the proper form of assistance to be provided.

c) Empowerment

Another important aspect in preventing forced marriages is the empowerment of migrant girls and women in terms of assertiveness and awareness of their own rights. For instance, women are empowered by enhancing their educational and vocational opportunities to enable them to better defend themselves against being forcibly married and to seek out help.

In the last few years, an increasing number of independent groups and organisations has been set up by migrant women in Germany. The study "*Migrantinnenorganisationen in Deutschland*" (migrant women organisations in Germany) that is funded by the BMFSFJ reveals that the mi-
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grant women's self-organisation significantly contributes to their empowerment and integration. Therefore, the study recommends that, *inter alia*, the migrants women's self-organisation be supported. A strategy to provide further support to migrant women organisations is under preparation.

Another project designed to strengthen girls and women was the 2012 Girls' Day that drew attention to girls with a migration background.

3. Link list

The following are some interesting links on this topic:

- Short version (in German) of the study "*Zwangsverheiratung in Deutschland –Anzahl und Analyse von Beratungsfällen*":
<http://www.bmfsfj.de/BMFSFJ/Service/Publikationen/publikationsliste,did=175410.html>
- Integration Commissioner of the Federal Government:
<http://www.bundesregierung.de/Webs/Breg/DE/Bundesregierung/BeauftragtefuerIntegration/beauftragte-fuer-integration.html>
- Papatya – anonymous crisis shelter for young girls and women with a migration background:
<http://www.papatya.org/>
- Online counselling:
<http://sibel-papatya.org/>
- *Terre des Femmes Menschenrechte für die Frau e.V.*:
<http://terre-des-femmes.de/>
<http://www.zwangsheirat.de/>