



Nesime Salioska,
executive director,
association ROMA S.O.S.,
FYR of Macedonia

**Enabling Choices: Population Dynamics
and Sustainable Development**

Geneva, 1-2 October 2018

1. Child marriage is a Roma issue?
2. Why no policy impacts Roma?

A photograph of a young man and woman walking in a crowd. The man is on the left, wearing a black shirt and grey pants. The woman is on the right, wearing a black leather jacket over a white t-shirt with "AMP 88 LIFE" and blue jeans. The background is a blurred crowd of people. Overlaid on the right side of the photo is a text box with a dark background and yellow and white text. At the bottom left of the photo is a logo for "ROMA S.O.S. ORGANIZATION FOR MULTICULTURAL AFFIRMATION".

“THE GRAY AREA”
between TRADITION and
CHILDREN’S RIGHTS!

ROMA S.O.S. ROMA ORGANIZATION FOR MULTICULTURAL AFFIRMATION

Harmful practice: ETHNIC STIGMATIZATION



- “It is your tradition, we should not interfere!” - competent institutions are ignorant, limited in procedures, uninformed in a timely manner and unreliable of how, to whom and if they should report – LACK OF ACTION AND COMMITMENT!
- Children think that love is the leading force in creating their future, their parents do not know how to deal with this behavior – LACK OF INFORMATION AND CHOICES!

Lifetime inequality: INDIVIDUAL DEVELOPMENT BREAKS TO MEET FAMILY INTEREST



- Collectivity over individuality
- Poverty over economic independence
- Domestic violence over gender relation
- Non-education over employment opportunity
- Early pregnancy over care for reproductive health and sexual rights

Equality before the law for all persons: FORM OF DISEMPOWERMENT AND DISCRIMINATION



- When traditional law is above national law, the exception becomes a rule.
- Lack of understanding the issue as violation of child rights, non-harmonized legislation and protocols for interventions.
- The principle of “what is not penalized, is allowed”, allows cohabitation between persons who have reached age of 16 years and not yet 18 years, and the same applies as a legal justification, both for the state as well as for the citizens.

Conclusions



- States should clearly recognize that marriage, as well as living in an informal community between and with persons under 18 is not only a consequence but also in many cases a root cause that undermines the process of education, limits the opportunities for social integration, causes health disorders and creates gender inequality and violence.
- Different terms are used, such as under-age marriage, juvenile marriage, etc., but because under the Convention on the Rights of the Child, “any person under 18 years old is a child“, the term child marriage should be used as most appropriate.
- A general problem in assessing the real prevalence of child marriages, is that many of them are not registered and official, therefore not considered as part of the standard system for data collection and in that manner obstacles have been created for specific policy development.
- Ratification of Istanbul Convention is seen as relevant state action towards forming comprehensive national legislative and implementation of specific measures.

Recommendations



- Harmonization of existing legislation in order to explicitly ensure that the minimum legal age is 18 for a person to live in all forms of marital community:
 - Family Law – **prohibit living of minors in informal marriages communities** or ensure that all forms of marriages under 18 years of age are permitted only in exceptional cases by a court and when it is in the best interest of the child, accompanied by efforts to strictly control the issuing of expert opinion.
 - Criminal Code – move the upper limit from 16 to 18 years for **sanctioning the involved adults** in such cases so that the relevant institutions act in concern and take measures as to crimes.
- Developing a special program for protection and prevention of child marriage:
 - Implement campaigns and training that will **sensitize the public** and will provide understanding about the problem **in the context of human rights**, including **services for sexual education** as a way to break taboo topics.

Recommendations



- Introducing institutional system for registering and monitoring of marriages between and with persons under 18 years:
 - Law on Primary and Secondary Education – **extend the Collection of data** which would include records of the conditions of risk to children when discontinuing school, particularly with regard to all forms of marital communities (formal and informal).

THANK YOU FOR THE ATTENTION

WWW.ROMASOSPRILEP.ORG