



بلند پرواز
BOLAND
PARWAZ

EMERGING TRENDS
DRIVING CHILD &
FORCED MARRIAGE



Emerging Trends Driving Child & Forced Marriage

Submission to the sixty-eighth session of
The Commission on the Status of Women (CSW68)
11-22 March 2024

Presented by Boland Parwaz

www.bolandparwaz.com

BOLAND PARWAZ
EMERGING TRENDS
DRIVING CHILD &
FORCED MARRIAGE

FOREWORD

Child and forced marriage (CFM) are among the most pressing issues of our time, affecting millions of individuals around the world. In Australia, and globally, the impact of these practices extends far beyond the individuals involved, permeating communities and societies as a whole.¹

Our report into *Emerging Trends Driving Child and Forced Marriage* seeks to highlight our current concerns related to the risks of CFM and sexual violence against women and girls experiencing displacement, mass deportations, genocidal prejudice, harmful cultural practices and specific challenges related to immigration.

Through consultation with a number of victim-survivors, community leaders and the sector, we have identified some troubling developments driving CFM in Australia, Pakistan, Iran and Afghanistan.

It is our view that these emerging and nuanced issues should be reflected in both local and international policies, law reforms and services.

We therefore call upon the international community to consider:

RECOMMENDATION 1: Increase funding for research and data collection to identify emerging risks of child and forced marriage amongst women and girls experiencing: displacement, mass deportations, genocidal prejudice, harmful cultural practices and challenges related to immigration.

RECOMMENDATION 2: Build compensation, rehabilitation and long-term medical and mental health support for victim-survivors into all policy, law reform and service provision to ensure no one gets left behind.

RECOMMENDATION 3: In addition to existing judicial responses to CFM, we join the call for the development and implementation of more nation-wide family-centered education programs, conflict resolution and mediation procedures that can successfully intervene and prevent the marriage/crime taking place.

RECOMMENDATION 4: Mandatory education relating to CFM laws in Australia for refugee and immigrant families (new arrivals), in language and in culture, delivered through language schools and resettlement agencies.

RECOMMENDATION 5: Professional development training for school teachers, well being officers and school counselors along with inclusion of CFM related content in the school curriculum

RECOMMENDATION 6: Foster multi-lateral collaborations to ensure CFM regulations and laws can be implemented successfully at a global scale.

ABOUT US



ABOUT BOLAND PARWAZ

'Boland Parwaz (بلند پرواز) is a visionary venture dedicated to End Child and Forced Marriage (CFM) both within Australia and abroad. It is an imperative step towards fostering a world free from such practices and developing comprehensive education, advocacy, and support systems that drive prevention and intervention.

The core goal of Boland Parwaz is to empower local communities to lead change, and create opportunities for young people to make informed decisions about their own futures.

We aim to achieve this by initiating dialogue at both local and government levels, engaging stakeholders, and creating in language and in culture resources and training programs.

The risks and escalation of CFM across the world in recent years is a poignant reminder of the urgent need to dismantle the structures perpetuating child and forced marriages, mobilise collective action, and advocate for a future where every individual has the right to choose their own path free from coercion and threats.

At the heart of our mission lies the firm belief that every child deserves the right to grow up free from the chains of early and coerced unions.

Please join us in our pursuit to create a world where childhood is safeguarded, and forced marriages are a relic of the past!





HELENA HASSANI

Helena Hassani is the founder and Executive Director of Boland Parwaz.

Born in the picturesque region of Hazarajat in Afghanistan during the 1990s, Helena's childhood was upended by the Taliban insurgency in 1998. Forced to flee her homeland and take shelter with relatives in Pakistan, she experienced firsthand the struggles faced by many displaced women and girls before finding safety and a new life in Australia.

Driven by her personal experience with displacement, genocidal persecution, and child and forced marriage, Helena has become an inspirational advocate for the rights of women and girls in Australia and internationally.

Holding a Master of Human Rights Law and a Bachelor of Health Science and Social Work, Helena is also a researcher at UTS and Anti Slavery Australia, a public speaker, podcaster, sector and community CFM trainer and has served as a delegate at the United Nations Annual Tripartite Consultations on Resettlement. Having also been a lead practitioner for men's behaviour change programs and the prevention of family violence in Australia for the last 7 years, Helena is undoubtedly a formidable force to be reckoned with.

Helena is committed to not only preventing future instances of child and forced marriage, but also to support those who have already been affected. Her vision is to create a world where all girls have the right to an education, the freedom to choose their own path in life, and the opportunity to pursue their dreams and aspirations.



CHILD & FORCED MARRIAGE



**“MORE
THAN 650 MILLION
WOMEN ALIVE TODAY
WERE MARRIED AS
CHILDREN”**

(UNICEF, FOR EVERY CHILD, 2023)

DEFINITION OF CHILD & FORCED MARRIAGE

Forced marriage occurs when a person gets married without freely and fully consenting because they have been coerced, threatened or deceived, or because they are incapable of understanding the nature and effect of a ceremony for reasons including age or mental capacity. (Federation of Ethnic Communities Councils of Australia, 2019)

Child and forced marriage can ultimately lead to additional risks of: domestic violence, financial abuse, estrangement from family, murder, honour based violence, honour killing and suicide with any marriage under the age of 16 being considered child abuse..

In 2009, the United Nations published a supplement to The Handbook for Legislation on Violence Against Women, outlining a number of recommendations to address “harmful practices” against women. The Handbook included the following recommendations on Child and Forced Marriage.

3.3.7. Forced marriage and child marriage (cross-reference to section 3.13 of the Handbook)

3.3.7.1. Defining forced marriage and child marriage

Legislation should:

- *Define a forced marriage as any marriage entered into without the free and full consent of both parties;*
- *Set the minimum age for marriage as 18 for both females and males; and*
- *Define a child marriage as any marriage entered into before the age of 18.*

3.3.7.2. Considerations for offences related to forced marriage and child marriage

Legislation should:

- *Create a specific offence of forced marriage;*
- *Create a specific offence of child marriage;*
- *Criminalize those involved in the arrangement or contracting of a forced marriage or child marriage; and*
- *Prohibit betrothal before the age of 18.*

3.3.7.3. Removing sentencing provisions which force a victim of rape to marry the perpetrator

Legislation should:

- *Remove any exemption from punishment for perpetrators of rape who marry the victim/survivor.*

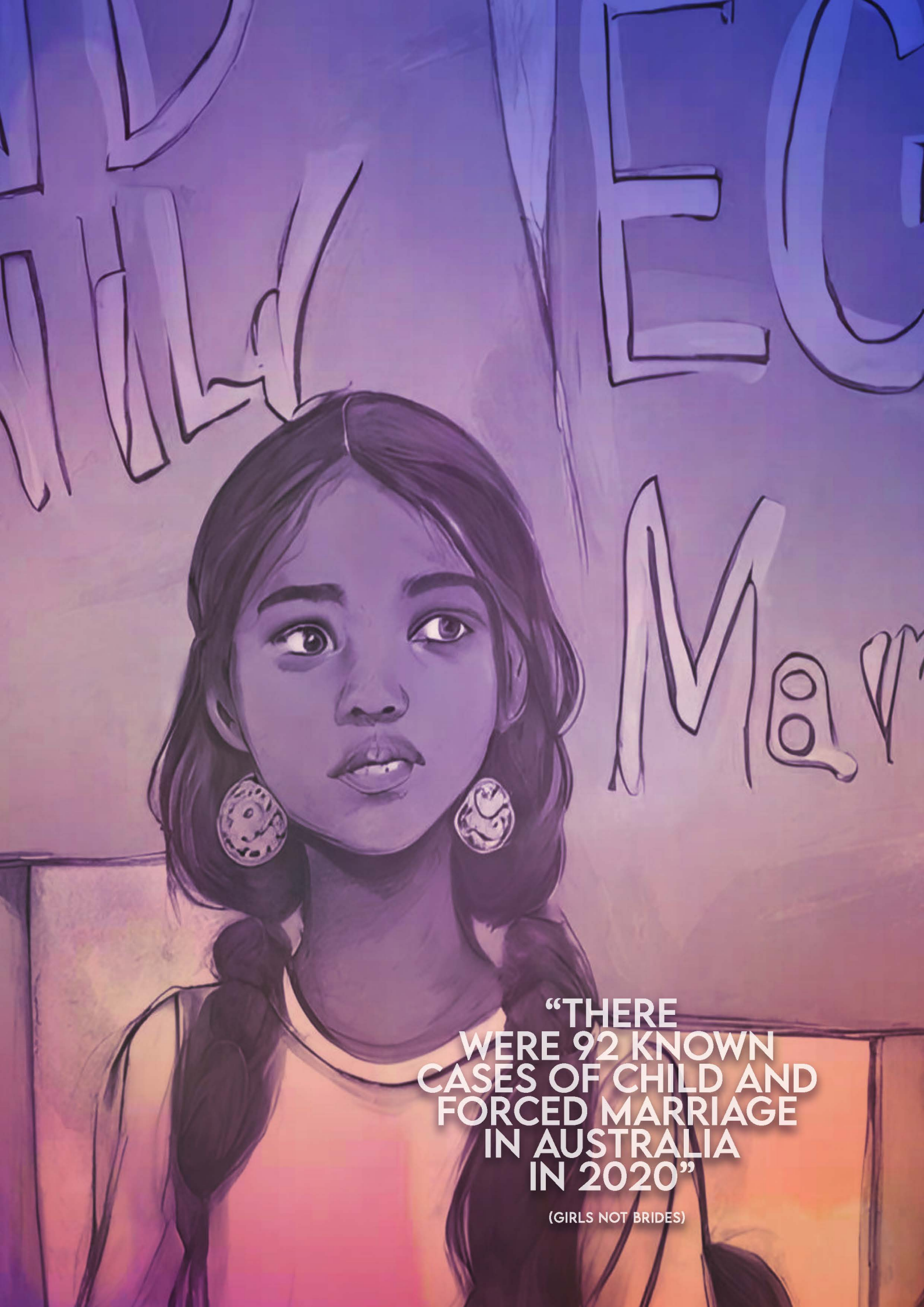
3.3.8. Bride price

3.3.8.1. Considerations for offences related to bride price

Legislation should:

- *Prohibit the giving of bride price;*
- *State that divorce shall not be contingent upon the return of bride price but such provisions shall not be interpreted to limit women's right to divorce;*
- *State that a perpetrator of domestic violence, including marital rape, cannot use the fact that he paid bride price as a defence to a domestic violence charge; and*
- *State that a perpetrator of domestic violence, including marital rape, cannot use the fact that he paid bride price as the basis for claiming custody of the children of the marriage. (cross-reference to section 3.13 of the Handbook)*

In Australia, the Commonwealth Criminal Code Act 1995 (the Criminal Code) criminalizes forced marriage, and those a party to a forced marriage.



**“THERE
WERE 92 KNOWN
CASES OF CHILD AND
FORCED MARRIAGE
IN AUSTRALIA
IN 2020”**

(GIRLS NOT BRIDES)

In Australia Child & Forced marriage may manifest in the following ways:

1. Families will tell their daughters that they have booked a family holiday to see a sick relative, show her their homeland or attend a family wedding. They get permission for the girl to be out of school for an extended period of time and when she gets outside of Australia she discovers she is getting married. She has no option to resist. A religious ceremony takes place and often the girl is unaware of the contractual agreement of the ceremony and that she may not even have any rights to obtain a divorce.
2. They have already been promised to a cousin from a very young age before coming to Australia. These arrangements can be to create migration pathways for extended family or to maintain status and honour within the community. They are told from a very young age that they belong to that person and that is their destiny.
3. Families may receive pressure from members of the extended community to agree to a marriage to maintain respect.
4. Families may "sell" their daughters to obtain financial gain, with bride prices ranging from \$15,000-\$50,000 cash plus jewelry, gold and other gifts.
5. There is a practice where girls can be exchanged to fulfill the wishes of a brother. For example, if a brother liked a girl from a specific family who was demanding a lot of money he could suggest that his sister marry one of the girls brothers to avoid or reduce bride price.
6. If you are divorced then a woman may find herself forced into a marriage with a much older man due to a belief she has few options and a second marriage is the only way to rebuild the girls reputation and honour.
7. Research indicates that there are links between child and forced marriage and family violence due to an incompatibility of expectations of gender roles between women educated in Australia and new husbands from overseas who are holding onto traditional beliefs and practices.
8. In some cases marriage can be used to lure women and girls into sex slavery or used by foreign nationals for a few months of 'fun' before divorcing and abandoning the woman with little to no consequences.

NEW THREATS

NEW CONCERNS

In addition to the risks of child and forced marriage in Australia there are some emerging concerns for women and girls currently facing deportation to Afghanistan from Pakistan and Iran.

In 2021 when the Taliban seized power of Afghanistan it led to a mass exodus of millions of vulnerable Hazara communities, especially women and children, to Pakistan, Turkey and Iran.

After centuries of persecution and attempted genocide, families have sought safety in Pakistan, Turkey and Iran for the last 120 years.

When the Pakistani government announced, in October 2023, its intention to deport 1.7 million Afghan nationals back to Afghanistan (regardless of their refugee status) the majority of those targeted so far are from the Hazara community.

Likewise, Iran also started mass deportations of Afghans reaching into the hundreds of thousands, followed by Turkey whose numbers are unknown but appear to be in the hundreds of thousands as well.

In these situations the risks of child and forced marriage is magnified.

- Poverty often drives families to sell their daughters
- The deportations amplify the feeling of daughters being burdens on their families and raises the risk of CFM
- There are extra risks of abduction and sexual violence at border crossings
- Girls have become too scared to go to school because of school raids from Pakistani authorities, further creating greater risk of families seeking marriages instead of education



Additional challenges include:

- Entire communities in Quetta are too scared to leave their homes
- Legally acquired properties are being bulldozed, making families homeless
- Authorities are coming to mark houses to signal imminent deportation, raising extreme fear and mental health issues
- Victims of sex slavery are being retraumatized because of the idea they may have their resettlement thwarted or cancelled and returned to the Taliban
- Increase risks of suicides
- Rise in hate crimes against these communities
- Long waiting times for registration with UNHCR causing additional risks of sexual assault and exploitation because of their shared living arrangements/ lack of safe houses for vulnerable women to stay while their cases are being processed
- Lack of access to hospitals and medical services because of lack of ID
- Many men and boys deported from Pakistan, leaving women and girls vulnerable - unable to survive

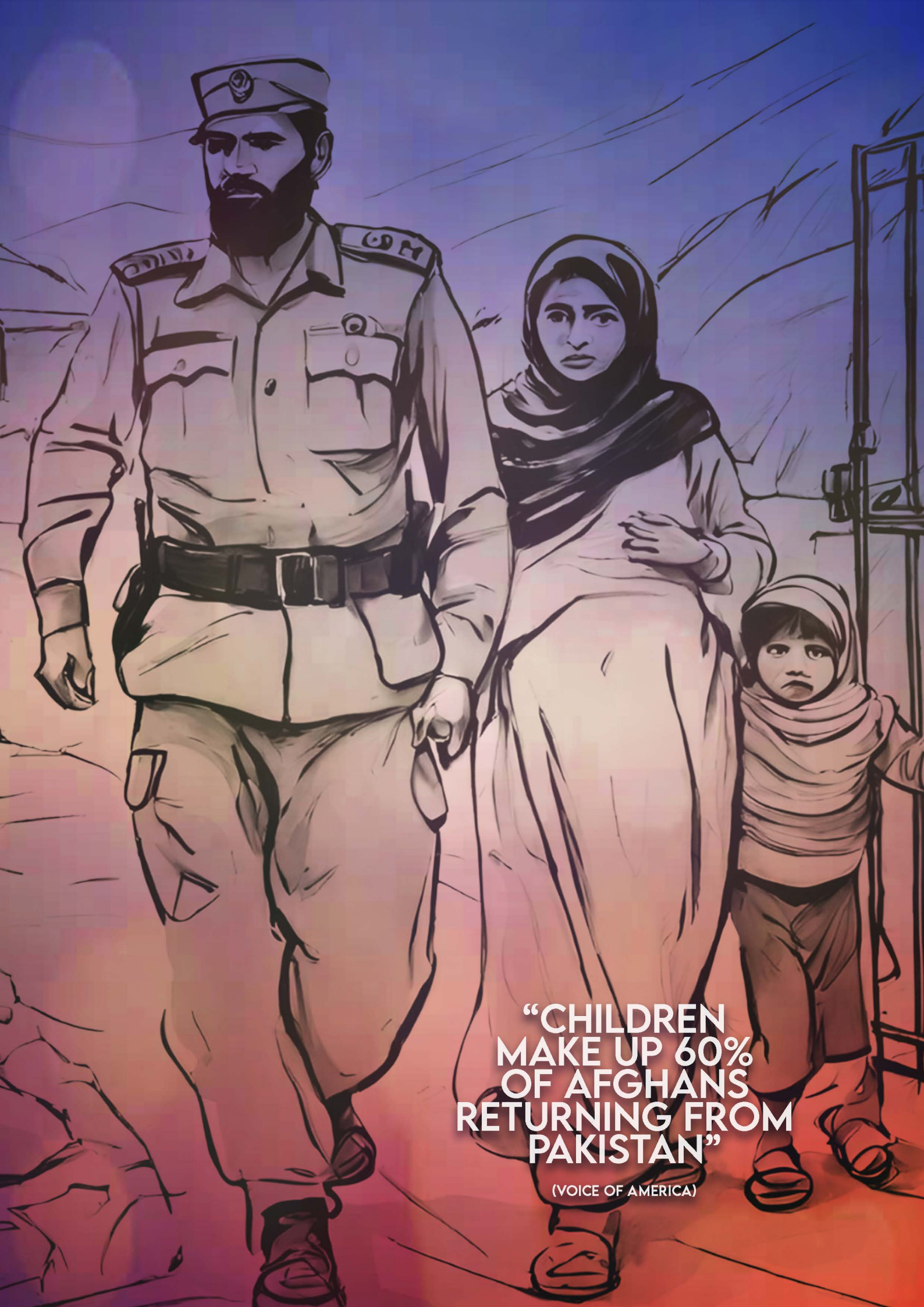
Once over the border:

- Heightened risk of sexual violence, sex slavery, abductions and forced marriages to Taliban soldiers
- Risky marriages to older or incompatible men to secure pathways to immigration in other countries such as Australia, UK, USA, Canada
- Only way to protect a girl's honour is to ensure she is married so she is under her husband's protection.
- Murder at the hands of Taliban
- Honour killings due to rape and unwanted pregnancy

The Taliban's brutal dictatorship continues to systematically remove all human rights from women and girls in Afghanistan, including: their right to free movement, the closure of schools, the closure of maternity hospitals, restrictions on work, the banning of and use of mobile phones and even the number of girl children they are allowed to have.







**“CHILDREN
MAKE UP 60%
OF AFGHANS
RETURNING FROM
PAKISTAN”**

(VOICE OF AMERICA)





**“PEOPLE
ARE BEING
HERDED ONTO BUSES
AND INTO TRUCKS
AND THEIR HOUSES
DEMOLISHED”**

(ANONYMOUS SOURCE)

CASE STUDY 1 - SELLING DAUGHTERS FOR CASH

We know of one family of five daughters and one son where the father is currently selling his daughters off (aged 18, 16, 13, 12, 10) one by one. Due to the harsh financial challenges the family faces in Pakistan the daughters have been married to men in Australia, Sweden and Iran.

Of particular concern is the case of the 16 year old girl who married an Australian. After the marriage he returned to Australia, leaving his wife in the care of his brothers while he sorted a spouse visa. In this time the girl was used as a sex slave for the brothers, beaten and threatened. The violence was so bad that both the girl and her mother were hospitalised with broken ribs and arms. On hearing of this situation the husband in Australia simply divorced the girl leaving her completely broken and with severe mental health issues.

Cases like these are becoming more common.

CASE STUDY 2 - SEX SLAVERY VICTIMS FACING ADDITIONAL TRAUMA

We know of a number of cases where young women and girls who have managed to escape capture and sex slavery in Afghanistan have found themselves being interviewed over 5 times, each time being re-traumatised and with no ongoing support services. This inturn has led to extreme and very serious mental health issues. We know of one case specifically where a survivor started to go mute, was unable to look after herself and her entire body started shutting down. Due to lack of access to Pakistan's hospital system and raising fear of deportation and vigilante Taliban operatives in Pakistan she was at extreme risk of catastrophic mental injuries and suicide. The case was luckily caught in time and her case fast tracked, but it is a reminder of the potential of so many women facing similar circumstances who fall through the cracks. There are many women and girls that would prefer to die at their own hands rather than be returned to their captor and torturer.



CASE STUDY 3 - ABDUCTION OF GIRLS FROM VILLAGES

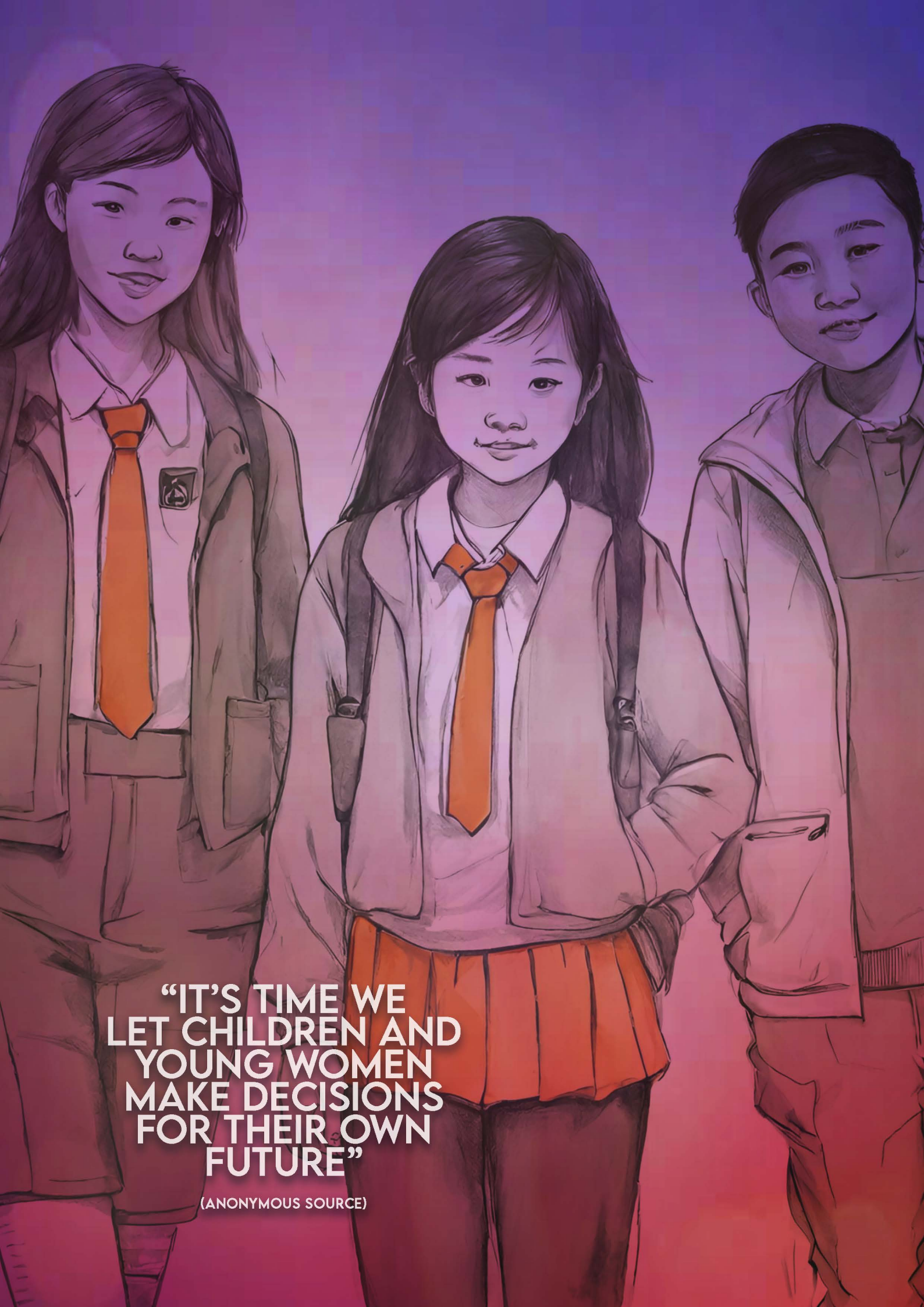
In recent months, there have been reports that Taliban forces are going village to village abducting or forcefully taking young girls (up to sixty a time in just one village) into sex slavery. There are reports of sex houses where girls as young as 13 are giving birth to their abusers children.

This escalation is of grave concern in the Hazara and other communities in Afghanistan who see these actions as an escalation of genocidal intent that has been waged against minority communities in Afghanistan for centuries.

RELEVANCE TO AUSTRALIA

- Girls and young women are being sacrificed for the sake of bringing a relative (whose life may be in danger) to Australia from Pakistan, Iran or Afghanistan
- These marriages often take place offshore and online where there are less safeguards
- Abandoned brides are on the rise and occur within other South Asian communities
- Cultural practices such as dowry and bride prices incentivise CFM





**“IT’S TIME WE
LET CHILDREN AND
YOUNG WOMEN
MAKE DECISIONS
FOR THEIR OWN
FUTURE”**

(ANONYMOUS SOURCE)

RECOMMENDATIONS

In Australia

- Funding and development of a MARAM style CFM risk assessment (Multi-Agency Risk Assessment and Management Framework) to be used by services such as: Life Line, 1800 RESPECT, Emergency/police, Family Violence, Women's refuges mental health services, Child Protection Services.
- In Australia, Child and Forced Marriage to be added to the Family Violence Act in addition to the Modern-Savery Act
- Greater investment into mediation and conflict resolution models and programs that can enable the victim and their families to reconcile and co-prevent child and forced marriage.
- Funding and development of a wider range of education and prevention programs specifically in language and in culture.
- Investment into data collection relating to CFM due to under-reporting
- Review laws dealing with multilateral offences especially CFM abroad and abandoned brides
- Implement more educational programs and training for community members.
- Mandatory training for the new arrival on CFM laws in Australia as part of their settlement programs.

Internationally

- Greater mental health support for displaced women and girls experiencing or recovering from sex slavery and CFM in their host countries.
- Risk assessments around CFM and sex slavery being integrated into resettlement interview processes.
- Medical treatment for women and girls who have experienced CFM and sex slavery regardless of their visa status.
- Provision of accommodation in women-only safe houses for vulnerable and at risk women waiting for asylum cases to be processed.
- Training religious leaders on the legal side of CFM in each country.

* We also support Anti-Slavery Australia's recommendation to create a Forced Marriage Protection Order similar to Intervention orders used in family violence.







**“70,000
GIRLS DIE IN
CHILDBIRTH EVERY
YEAR AS A RESULT
OF EARLY
MARRIAGE”**

(VOICE OF AMERICA, 2023)

LETS
WORK
TOGETHER



**“EDUCATING
PARENTS ON CHILD AND
FORCED MARRIAGE IS
AS IMPORTANT AS
EDUCATING
YOUNG PEOPLE”**

(ALI HUSSEIN, CONSULTANT, 2024)

OUR SERVICES

Boland Parwaz is a conscious coming together of a small team of practitioners, advocates, community leaders and creatives that are passionate about the prevention of child and forced marriage.

Using our combined experience in family violence, men's behaviour change, mental health, resettlement, media, human rights, criminal and migration law, we aim to become a specialist service for the development and delivery of 'in language' and 'in culture' resources and programs for the prevention of child and forced marriage in Australia and abroad.

Our goal is to ensure prevention and intervention happens before the crime is committed.

Through our shared network we have the capacity to bring together community groups, families, young people, survivors and service providers to ensure tools are culturally sensitive for the communities we serve.

If you need help with your next project or wish to collaborate, we can create;

- Resources, tools and content creation in language and in culture
- Design and delivery of bespoke training programs in language and in culture
- Specialist consultations
- Design campaign and social impact strategies
- Support the creation of creative communications
- Assist with policy and advocacy support
- Conduct or support participatory and action based research
- Work with young women/youth in leadership programs
- Conduct community leadership/engagement activities
- Deliver whole school awareness raising workshops
- Provide keynote speeches for events
- Design culturally sensitive interviews for research purposes and conduct interviews with victim-survivors of CFM for various services

You can contact us via bolandparwazorg@gmail.com

Or via our social media @bolandparwaz or www.bolandparwaz.com







**“EQUIPPING
YOUNG PEOPLE WITH
THE TOOLS TO SPEAK
UP FOR THEIR RIGHTS
IS ESSENTIAL”**

(HELENA HASSANI, 2024)

END
NOTES



VOICE OF THE COMMUNITY

“Our community is afraid of assimilation into the wider Western society, fearful of losing their culture and connections to their long practices and beliefs, fearful of losing control over their children, fearful of shame and losing respect in the eyes of the community etc”.

“Educating parents is equally important as educating young people in our community because it is a harmful practice and young people are fearful of saying no or reporting to authorities. If the parents understand the consequences of their actions, they might think twice before forcing their children into marriages without their consent”.

“Hazara men are already being oppressed by other tribes and when we consider women and girls’ situation in our community then women are twice as vulnerable and with no voice or support”.

“We need to give our girls the opportunities to participate in the community and discuss issues concerning them, rather than asking men to make decisions about them and on their behalf”.

“Women should be strong enough to push for their active participation in the community and forums which are about them and for them”

“Changing the practice of child and forced marriage cannot happen overnight and require a whole community approach”

“Change starts at birth and at home, with girls being equal to sons”

“How do you say no to your parents or put them in trouble when they have risked everything to create a better life for you?”





Be informed and have a say in your marriage plans

Say no to sex, even when married

Stop or leave a marriage without fear of harm and shame

Be free from abuse and control, in and outside of your home



Be respected, supported and safe, no matter your decisions around marriage



Marriage: You have the right to...



Make decisions about who and when you marry

Make informed decisions about your body and your sexual health

Enjoy a childhood free from marriage



Feel safe and be safe, both you and your loved ones



Access help no matter your age, gender, sexuality, visa status, disability, language, religion or culture



My Blue Sky provides free & confidential legal advice.

We can help you understand your rights and options, whether you are getting married or already married.

Get  help at



mybluesky.org.au



MYBLUESKY
- my future -

Funded by the Australian Government Department of Social Services.

SOURCES

An Australian Government initiative: Forced Marriage: Fact Sheet for Media (report) pg 1-3. <https://www.homeaffairs.gov.au/criminal-justice/files/forced-marriage-fact-sheet-media.pdf>

Anti-Slavery Australia (June 2023) Supplementary Submission to the Joint Standing Committee on Foreign Affairs, Defence and Trade in the Inquiry into the rights of Women and Children. (July 20th, 2023) | Modern Slavery, Forced Marriage <https://antislavery.org.au/supplementary-submission-to-the-joint-standing-committee-on-foreign-affairs-defence-and-trade-in-the-inquiry-into-the-rights-of-women-and-children/>

FECCA: Federation of Ethnic Communities' Councils of Australia; Rosie Heselev with Lauren Stark and Janecke Wille (2019) Forced Marriage in Australia: A literature review. <https://fecca.org.au/wp-content/uploads/2020/01/FECCA-Literature-Review-on-Forced-Marriages.pdf>

Girls not Brides (website), Australia: East Asia and Pacific Report. <https://www.girlsnotbrides.org/learning-resources/child-marriage-atlas/regions-and-countries/australia/#:~:text=It%20should%20be%20noted%20that,the%20age%20of%2018%20years.>

World Vision (2024) Child Marriage: Facts and how to help. [What we are doing] [Our Goal] <https://www.worldvision.com.au/global-issues/work-we-do/forced-child-marriage#:~:text=12%20million%20girls%20%E2%80%93%20every%20year,percent%20marry%20before%20age%2015.>

UNICEF: For every child (website) UNICEF Data: Monitoring the situation of children and women, Child Marriage & Child Marriage Data portal (June 2023). <https://data.unicef.org/topic/child-protection/child-marriage/>

United Nations, (2009) Department of Economic and Social Affairs: Division for the Advancement of Women; Handbook for Legislation on Violence Against Women, pg 13-26). Model framework for legislation on violence against women. 3.4 Definitions. <https://www.un.org/womenwatch/daw/vaw/handbook/Handbook%20for%20legislation%20on%20violence%20against%20women.pdf>

VOA: Voice of America: South and Central Asia; Ayaz Gul (November 7th 2023), 'UN: Children make up 60% of Afghans returning from Pakistan'. <https://www.voanews.com/a/un-children-make-up-60-of-afghans-returning-from-pakistan-/7345321.html>

Community Poster, Marriage: You Have the Right To....., developed through the 'Speak Now' project, following extensive consultations with frontline workers, young people and community stakeholders across Australia. Anti Slavery Australia <https://a.storyblok.com/f/158931/x/ebcd30b6ce/a3-mbs-community-poster-rights-around-marriage.pdf>

Consultation sessions conducted by Helena Hassani with a number of practitioners working in: the prevention of child and forced marriage; family violence; mens behaviour change; resettlement services; policy and law reform, as well as community groups and survivors (in Australia).

Ongoing consultations with survivors and at risk women, girls and their families, in Pakistan, Afghanistan, Turkey and Iran conducted between 2021-2024.

Hazara Community Consultation Session, Vienna, Austria, 2024

Boland Parwaz CSW68 Submission

We want to take a moment to express our gratitude to the many organisations, sector professionals and individuals who have supported and contributed to our report: **EMERGING TRENDS DRIVING CHILD AND FORCED MARRIAGE IN AUSTRALIA AND ABROAD** .

This publication was written and created by Helena Hassani for Boland Parwaz, with design and visualisation from ELMS.

Contributors include: Professor Jennifer Burn, Dr Jaqueline Nelson, Kaius Clark and Elsie Cheung from Anti Slavery Australia/MyBlueSky/Speak Now Project (who have all offered me extraordinary encouragement to have a voice in this space), Ali Hussein, Nazir Yousafi, Social Impact Producer Emma Macey-Storch, and the many, many victim-survivors that have shared their stories and experiences with us since the fall of Kabul in 2021.

For More Information

bolandparwazorg@gmail.com
www.bolandparwaz.com







END
CHILD
MARRIAGE



بلند پرواز
BOLAND
PARWAZ
A FUTURE WORTH
FIGHTING FOR