



# CAHROM thematic meetings on early and forced marriages and Roma women's access to justice

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Ad hoc Committee of Experts on Roma and Traveller Issues (CAHROM) has arranged two thematic meetings with a clear gender emphasis.

- They were based on:
  - the earlier **2014 thematic report** on *Roma Women empowerment and gender dimension of of Roma inclusion policies and strategies*
  - ***Phenjalipe Strategy for the Advancement of Romani Women and Girls, 2014-2020***
  - ***the on-going JUSTROM activities***

# JUSTROM

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an 850,000 € programme  
co-financed between the European Commission DG Justice (80%) and  
the Council of Europe (20%).

- Programme is a pilot project that is been implemented by the Council of Europe and their partner organisations in **Bulgaria, Greece, Ireland, Italy, and Romania.**
- Aims at increasing Roma and Traveller women's **awareness about their rights and existing complaint mechanisms**, establishing **legal clinics** and providing **mobile services**, supporting Roma and Traveller women's empowerment and autonomy and reinforcing cooperation between relevant stakeholders, the European Commission and the Council of Europe as regards access to justice for these vulnerable groups.

# JUSTROM

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- Activities of the programme include **training on non-discrimination for lawyers**
- So far there have been:
  - TOTAL of 9890 informed people
  - 7208 preliminary consultations
  - 3972 assisted people**
  - (app. 40% of all the cases went forward)**
- JUSTROM has also contributed to improving Roma people's trust in institutions (in legal professionals, the police, the municipalities involved, etc.).

# The purpose of the thematic meetings

- The purpose of these meetings was:
  - a joint analysis and evaluation of the implementation of legislation, different national policies and measures promoting gender equality but also thematic exchanges of research results, experience and good practices between different countries
- To share real cases and recognize similarities between different countries

# London, November 2017: Early and forced marriages

- Diana KIRILOVA's (PhD in Anthropology and Philosophy in Education) **short presentation of research report regarding the situation of early and forced marriage in France created an excellent overview of the socio-cultural reasons behind the phenomena and** the meaning of early and forced marriage in women's and children's lives
- The Red Notebook of the European project 'Marry when you are ready' contains an important reminder: "This is a delicate and complex subject, which intersects with burning tensions on the macro-societal level: between the mainstream society, between **the pull of the tradition society and the push of the modernity within Roma cultures, between the rights of the individual and the cohesion of the community.**" This is a question that should not be oversimplified.

# Situation in 2018

- Many Roma communities all over the Europe continue to follow the tradition of early and forced marriages between the ages of 14 to 17. In some cases, once the girl has been given in marriage and the **dowry** has been paid, the girl has to “work” (in fact, beg or even worse steal) **to pay back 80% of “her debt”** to her parents in law. And this is one of the driving forces behind the mobility of the poorest Roma women.
- Forced marriages also explain the high amount of **close and family relationship violence** within different Roma communities.
- Some communities still practice the ultimate punishment for not following the tradition of arranged marriages, namely **the total disownment and separation** from the family and ethnic community.

# Migration and schooling

- According to Kirilova: “Another element to take into account is **migration**. This has an **impact on the schooling process** and indirectly related to early marriages. Due both to early marriages and **frequent evictions**, the children cannot ensure continuity and get good results in school. They cannot continue up to secondary school. As long as the work with these communities is not a long term work, we cannot achieve results. The absence of long term work is a sort of discrimination against them.
- In many countries nobody deals directly with issues of marriage, but we can make connection through the question of schooling and ensuring these children a normal social life, **dignity and individual autonomy**.



# National Roma Integration Strategies (NRISs) lack measures against early and forced marriages

- Very few NRISs and Roma projects acknowledge these questions or pay special attention to them although these social practices influence every dimension of Roma life, social integration, education, work, health and the well-being of the families and children.
- Therefore, based on their yearly reporting **member states should develop gender perspective of their strategies** (both targeted and mainstreamed measures), **include gender-based follow-up and develop their evaluation frameworks accordingly.**
- Governments should receive more feedback and recommendations and co-operate more with the grassroots Roma and non-Roma NGOs.

# UK case

- Britain has **strickened considerably its legislation** on marriages and sanctions on forced and early marriages. Britain has introduced several **new, quick measures against human trafficking and subsequently developed support for its victims.**
- We also heard several highly valuable NGO and social worker presentations clarifying when and what kind of support the victims need.
  - The Sharan Project that focuses on empowerment of women following forced marriage and experiences of domestic violence in a cultural context
  - Southall Black Sisters who provide support for victims through different activities funded by the UK Forced Marriage Unit in order to assist in returning repatriation cases and also an intervention by a social worker on a current case

# Helsinki, March 2018: Roma women's access to justice (Finland, Spain, Italy, Romania, Bulgaria, Greece, Ireland)

- Whilst access to justice and **non-discrimination legislation seem to be satisfactory and available in theory to all citizens, including Roma and Traveller citizens**, in practice there are a number of **administrative barriers and obstacles** both internal (high illiteracy, etc.) that affect Roma communities.
- **Access to justice is not one of the main four pillars of the EU framework;** still it is an essential topic that is often at the grassroots of long-term solutions in improving Roma living conditions. National Roma Integration strategies should more systematically include measures related to access to justice and pay attention to the gender dimension.

# On-going digitalisation

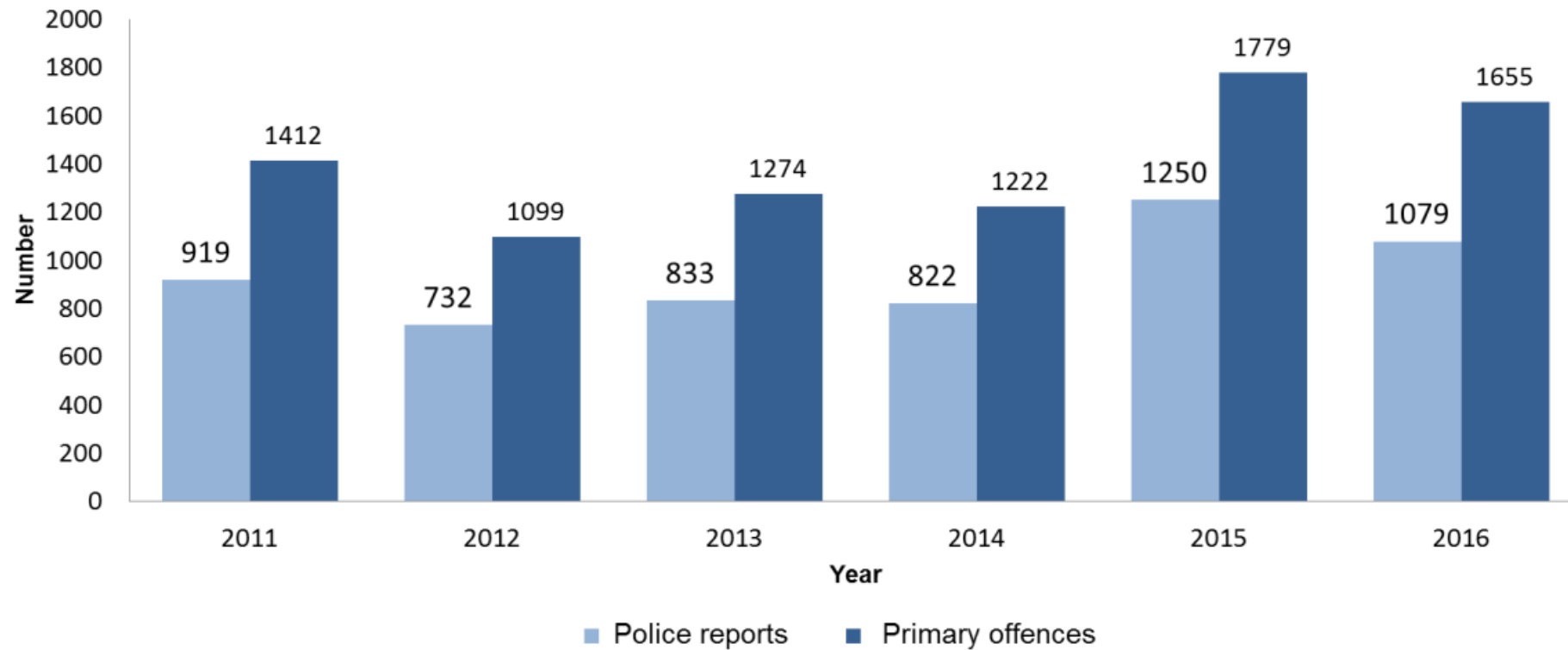
- The digitalisation of various services, including for submitting complaints to the police or the judiciary does not sufficiently take into consideration existing obstacles within most vulnerable categories of the population, including Roma: high level of poverty, illiteracy, lack of access to internet, bad credit records etc. and **may in the worse case hinder Roma access to justice.**
- However, there are also positive examples of the use of new technology such as **the free Spanish mobile phone application SOSKamira** that can considerably lower the threshold for reporting violation of basic rights and discrimination cases. Its use is quick and easy!

# Valuable country specific feed- back and recommendations

- All the participating countries received specific **feed- back and recommendations** based on different surveys and their country reports.
- These recommendations help individual countries to address questions on different levels of their administration and create positive pressure.
- For example Finland has started to develop its hate crime monitoring system and has given additional resources and more police officers directed to investigating hate crimes and hate speech
  - A new Hate speech investigation group started in March 2017

**Since 2017 Roma specific cases have been investigated in depth and Roma will become more visible in the statistics.**

# Number of suspected hate crimes 2011-2016



# In court cases we trust?

- Bad ethnic relations can **only partially be tackled through judicial system** (of course they draw media attention and help to recognise the situation, compensations are been paid, sanctions ordered, etc.)
- In many cases **police or prosecutors drop cases** because of the lack of evidence or victims draw back their cases, complaint processes are far too **lengthy and tiresome**, court decisions are expensive, and do not address the root causes of the racism.
- Therefore also alternative approaches (such as different **restorative justice and grass-root level mediation**) should be utilized. Generally they are quicker and have more positive socio-psychological results.

# Focus is on the external discrimination on the expense of the internal discrimination

- Addressing external discrimination in an efficient and sustainable manner is difficult BUT many countries report that they have even more problems with **addressing internal discrimination** (traditionally dealt with such social justice systems as KRIS or avoidance and blood-feuding behavior)
- Very few countries have developed proper interventions what comes to this, the topic is also invisible in most of the integration strategies (it is considered super-sensitive ethnic- dynamite)



# Future challenges

- Womens discrimination in the labour market
- Achieving balanced participation of women and men in political and public decision making – municipalities are not exactly leading the way at the moment
- Protecting the rights of the most vulnerable mobile EU-Roma and asylum seeking Roma