

Concrete recommendations following the hearing on
The Injustice of marital captivity
European Parliament in Brussels, 25 June 2018

-) The EU and its Member States must recognise marital captivity as a form of gender based discrimination and violence; The EU should encourage its Member States to include marital captivity in the definition of forced marriage and make it a wrongful act which is punishable;
-) EU Member States should exchange best practices in preventing marital captivity, protecting the victims and solutions to dissolve the religious marriage;
-) The EU and its Member States should establish national forced marriage units for EU citizens who became victims of forced marriage and marital captivity abroad; The Units could provide for legal aid, fair trial assistance, dialogue with relevant countries, and strengthen grassroots movements such as a 'She Decides Europe';
-) The EU Member States could broaden the scope of both The Brussels IIa Regulation on conflict of law issues in family law between member states; in particular those related to divorce, child custody and international child abduction as the Rome II Regulation regarding the conflict of laws on the law applicable to non-contractual obligations in order to include also religious marriages;
-) The EU Member States could foresee the possibility to fine a husband who deprives a woman of her possibility to divorce and even to criminally prosecute the husband if his behaviours stays unchanged;
-) The EU could encourage its Member States to extend its jurisdiction to free women who find themselves in a situation of marital captivity due to the unwillingness of their partner living abroad;

- J Encourage the Members of the Council of Europe to amend the Recommendation Rec (2002) 5 of the Committee of Ministers on the Protection of Women against Violence and to include Marital Captivity;
- J Use all relevant Human rights Committees and Conventions to fight Marital captivity;
- J Ensure greater awareness about the phenomenon and include references to the injustice of marital captivity in EP reports and resolutions
- J The religious communities must hold internal discussions about marital captivity and look for solutions, create awareness amongst women about the possible consequences of a religious marriage such discussions should specifically also involve women;
- J EU Member States should give a voice to the women and girls affected by the phenomenon and raise awareness with girls from a young age, f.e. by including the issue in the Member State's educational curriculum, to inform girls and women about prevention and the possible consequences of a religious/ foreign/ unregistered marriage;
- J The EP has called on several occasions on the European Commission to propose a legislative act to combat all forms of gender-based violence and domestic violence; The EP should specifically include marital captivity as a form of gender based violence when reiterating its call for such EU legislation;