

PASSPORT

*Love marriage, arranged marriage, obliged
marriage, forced marriage*

We need to talk about it because



**MY CHOICE IS
MY RIGHT!**



« MARRIAGE SHALL BE ENTERED INTO ONLY WITH THE FREE AND FULL CONSENT OF THE INTENDING SPOUSES. »

- Article 16 of the Universal Declaration of Human Rights

Marriage is a legal union between 2 individuals. Whether it is a love marriage or an arranged marriage, the 2 individuals must consent to the union out of their own free will. The legal age an individual can get married in Canada is 18 years old (or 16 years old with parental consent). Marriage is an important commitment, which requires that both individuals agree on a number of aspects and share common values.

In an arranged marriage, it is usually the family of the individual that initiates the process of finding a future spouse. It is the responsibility of the parents to ensure that the 2 future spouses have willingly consented to this arrangement and have had a sufficient amount of time to think about, and potentially refuse the arranged marriage. Also, particular attention needs to be given in order to make sure that the arranged marriage is in the best interest of the future spouses and that their choices are respected. **Under no circumstance, should the consent be obliged or forced.** If either one of the spouses consent under duress, it is no longer considered to be an arranged marriage but rather a forced marriage.

AND THIS IS UNACCEPTABLE!

WHAT IS THE DIFFERENCE BETWEEN AN ARRANGED MARRIAGE AND A FORCED MARRIAGE?

An arranged marriage is when a family finds the future spouse for a family member. In this situation, the person for whom the marriage is being arranged **has the right to refuse**, and can ask to stop the process at any point.

A forced marriage is when one or both spouses **do not consent or are forced to consent under pressure**. It is the immediate or extended family as well as the community that can exert psychological and physical pressure on the future spouses.

Women and girls are most often the victims of forced marriage. However, it is also possible for men and boys to be coerced and feel pressure to consent to a marriage.

FORCED MARRIAGE IS NEITHER ACCEPTABLE NOR JUSTIFIABLE.

WHAT ARE THE CONSEQUENCES OF A FORCED MARRIAGE?

It can be very difficult to be in a relationship that you have not chosen. You may feel depressed and isolated. You may feel as though you may never realise your dreams and that your future and aspirations are sacrificed as a result. A forced marriage is an impediment to your rights and hinders your autonomy and independence. Forced marriage could lead to a number of consequences, such as:

- Dropping out of school, being forbidden to pursue your education or your desired career
- Being isolated from members of your family and friends
- Forced sexual intercourse or sexual assault
- Unwanted pregnancies
- Deterioration of physical and psychological health

AN INDIVIDUAL IN A FORCED MARRIAGE IS ALSO MORE LIKELY TO BECOME A VICTIM OF CONJUGAL VIOLENCE. THIS VIOLENCE MAY BE PSYCHOLOGICAL, VERBAL, EMOTIONAL, PHYSICAL, ECONOMIC OR SEXUAL IN NATURE.

I FEEL PRESSURE TO CONSENT TO A MARRIAGE. WHY DOES MY FAMILY WANT ME TO GET MARRIED?

Each family may have a different conception of marriage. Some families may want to arrange their children's marriage in order to respect certain traditions, to reinforce family ties, or to ensure that their child is marrying their «ideal» match. However, in some cases, the marriage is a way to preserve the family's honour and reputation, to contribute to the family economically (through a dowry or financial arrangements), to facilitate the immigration of a person or even to control or punish unacceptable behaviour (relationships that are deemed inappropriate or disapproved of).

HOWEVER, REGARDLESS OF THE MOTIVE, THERE IS NO VALID REASON FOR YOU TO BE FORCED TO MARRY SOMEONE AGAINST YOUR WILL.

YOU HAVE THE RIGHT TO SAY NO AND YOUR CHOICE MUST BE RESPECTED.

YOU ARE IN A DANGEROUS SITUATION IF:

- You are being blackmailed by your parents or other family members
- You are threatened if you refuse to get married
- You are being subjected to psychological or physical violence
- You are forbidden from leaving the house
- You have been sequestered in the past

IF YOU FEEL LIKE YOU ARE IN DANGER, DO NOT HESITATE TO CALL 911. THE ROLE OF THE POLICE IS TO ENSURE YOUR SAFETY AND SECURITY.

I'M UNDER THE IMPRESSION THAT MY FAMILY IS PLANNING A MARRIAGE WITHOUT MY KNOWLEDGE. WHAT ARE THE SIGNS?

- My family has become more and more controlling of my romantic relationships as well as my friendships
- I constantly feel like I'm being spied on and followed
- My family controls all of my means of communication: my Facebook account, Skype, my emails, my cell phone, my laptop...
- I am isolated from my friends, my classmates, my work colleagues and my close family members
- My parents are threatening to send me back to our country of origin if I do not succeed in school
- My family is planning vacations without consulting me
- I no longer have access to my identity papers

WHAT CAN I DO?

YOU ARE NOT DOING ANYTHING WRONG BY REFUSING AN ARRANGED MARRIAGE. IT IS NOT A SIGN OF DISRESPECT OR DISHONOUR TO YOUR FAMILY!

If possible, try to talk with your family. Refusing an arranged marriage does not mean that you do not respect your parents nor that you are setting a bad example for your younger sisters and brothers. It also does not mean that you are rejecting your culture or origins. **Forced marriage is neither cultural nor religious.**

If you have already tried talking with your family and you are under the impression that they will not change their minds and that the situation will get worse, **do not wait to talk to someone you trust outside of your family. Your safety is important.**

You can confide in a teacher, a school counsellor, a nurse, a social worker, etc. or any other person that you feel safe talking to in confidence about your situation. This person could give you advice and direct you towards available resources and give you legal information in order to help you.

MY FAMILY IS PLANNING A VACATION AND I HAVE A FEELING THAT THEY ARE GOING TO FORCE ME TO GET MARRIED. WHAT CAN I DO?

First off, you must seriously consider contacting the police because if you are forced to leave the country against your will, you can potentially be in a dangerous situation.

However, if you are not ready to contact the authorities, you need to speak to a professional (school counsellor, social worker, nurse, teacher, etc.) You need to make sure that someone knows about your situation and, if the case may be, is ready to call the police. Make sure to give them a photocopy of your identification papers and all other information relative to your vacation (an itinerary, departure and return dates, name and contact information of the people who you are going with, information about the future spouse and his family, the potential date of the marriage, potential shelters in the country that you are travelling to, etc.)

You can also write a letter authorizing this person to call the police if ever you do not return to Canada.

IF YOU ARE A CANADIAN CITIZEN

You can register online in the Registry for Canadians Abroad.

In an emergency, this will allow you to get help such as transportation and the issuing of a passport.

[HTTP://TRAVEL.GC.CA/TRAVELLING/REGISTRATION](http://TRAVEL.GC.CA/TRAVELLING/REGISTRATION)

Before leaving, find the coordinates of the embassy of the country you are travelling to:

[HTTP://TRAVEL.GC.CA/ASSISTANCE/EMBASSIES-CONSULATES](http://TRAVEL.GC.CA/ASSISTANCE/EMBASSIES-CONSULATES)

WHAT ARE MY RIGHTS?

In Canada you have the right to:

- live freely and in complete security
- be treated equally and with respect
- refuse to get married
- leave your partner (separation or divorce)
- refuse sexual relations
- have an abortion
- ask your spouse for financial support

Know that if you were married religiously, without legal documents (marriage certificate) in Canada, this ceremony is not considered a legal marriage in the eyes of the law. Therefore, you are not considered legally married.

NOTE: If it is proven that you were forced to get married, your marriage might not be legally recognized and could be annulled. Also, whoever forced you to get married by using harassment, threats or physical violence could face criminal consequences.

I WAS FORCED INTO A MARRIAGE AND I WANT TO LEAVE MY SPOUSE, WHAT CAN I DO?

Leaving a forced marriage or a situation of conjugal violence can be extremely scary. You might feel discouraged and overwhelmed with emotions. However, it is important to remember that you have the right to leave your partner and that there are resources available that can help you.

WHERE DO I GO?

You can seek out specialized resources that help women who are victims of conjugal or family violence. This can be a confidential shelter, or a women's organization. You could also go to a CLSC or a police station. There will always be people ready to help you with this process.

AND LEGALLY?

Before taking any legal action, it is important to consult a lawyer. There are free legal resources where you can access information about your rights as well as get a referral for a lawyer.

ANNULMENT:

If it can be proven that your marriage was forced, you can ask for an annulment. It will then be as though your marriage never existed. In order to carry out this procedure, you will need to submit your application form in the three years following the celebration of your marriage.

SEPARATION:

Even if you are no longer living together, you are still considered legally married in Canada. You therefore have the same rights and obligations as a married couple. However, you do not need the consent of your spouse to separate.

DIVORCE:

The court dissolves your marriage and also your rights and obligations as a married person. You have the right to request to obtain temporary spousal support. If both you and your spouse want a divorce, you can file a joint divorce application. However, if one spouse refuses, you must prove that you have either been living separately for at least a year, that there has been infidelity or that there has been abuse.

FORCED MARRIAGE AND SPONSORSHIP FRAUD

If you marry someone who does not live in Canada, you need to file a sponsorship application in order to allow your partner to come to Canada. Sponsoring your spouse is a very serious legal and financial obligation whereby you must provide for the basic needs of this person for a period of 3 years. **Even if you separate or get divorced before the end of 3 years, you will still be legally and financially responsible for this person.**

Sponsorship fraud is when a marriage is celebrated without proper consent or the intention of creating a strong and unifying bond between the spouses. It can be forced or intended to facilitate the immigration of a person to Canada. **Sponsorship fraud is a crime.** Being found guilty of fraud can negatively affect any future requests with Immigration Canada.

Since October 26th 2012, **conditional permanent residency** status applies to sponsorship applicants that have been in a relationship with their sponsor for 2 years or less and that did not have children at the time the sponsorship application was presented. The couple is obligated to live together for a period of 2 years after obtaining a permanent residency status. If the couple does not live together during this time, the permanent residency status can be revoked and the sponsorship applicant can be deported. **Individuals who have conditional permanent residency status have the same rights as other permanent residents.**

IF YOU ARE A VICTIM OF A FORCED MARRIAGE AND/OR OF CONJUGAL VIOLENCE IT IS IMPORTANT TO GET HELP AND TO KNOW YOUR RIGHTS BECAUSE THERE ARE RECOURSES AVAILABLE TO PROTECT YOU.

NEED HELP?

FOR MORE INFORMATION:

- Shield of Athena Family Services: 514 274 8117

IN CASE OF DANGER:

- 911
- SOS Violence conjugale : 1 800 363 9010

ABROAD:

- Emergency Watch and Response Centre in Ottawa (long distance fees): 001613 996 8885
- sos@international.gc.ca

« Under the pretext of protecting me, my family forced me to get married. Under pressure and coercion, I was married at the age of 16 in order to escape their violence. My whole life I lived in fear, in violence and in disgust. After my marriage I hoped to die every day that I was alive. Every minute seemed like an eternity. All I felt was fear and the violence became part of my life. Until one day I decided I was no longer going to let these feelings kill me inside nor let this life destroy me. I left my house and I left the fear and violence behind me. I now live with the motto: « As long as I'm living my life, and I'm choosing how to live my life, I will assume the consequences of my choices». I found support and «real» protection because I live in Canada, a country of rights. As of today, I am proud of my choices because they helped me regain my dreams and my dignity. Thank you to all who have helped me. »

A 17-YEAR-OLD YOUNG WOMAN

La réalisation de cette brochure a été rendue possible grâce à la contribution financière de Condition féminine Canada, du Ministère de la Justice du Canada et du Ministère de l'Immigration, de la Diversité et de l'Inclusion.

Dépôt légal - Bibliothèque nationale du Québec, 2015
Dépôt légal - Bibliothèque et Archives Canada 2015

ISBN - 978-2-92365-66-3



BOUCLIER D'ATHÉNA SHIELD OF ATHENA

SERVICES FAMILIAUX | FAMILY SERVICES



Condition féminine
Canada

Status of Women
Canada

*Immigration,
Diversité
et Inclusion*



Department of Justice
Canada

Ministère de la Justice
Canada

Québec 