

Child Marriage in Serbia (Overview)



Most of the girls are getting married at 13, 14, 15 years old. When you are 16 years old and you are not married, the community starts to gossip that you are an ‘old maid’. That is the reason why most of the girls are getting married so young.

—Roma child spouse

Child marriages

Child or early marriage is the union, whether or not official, of two persons, at least one of whom is under 18 years of age.¹ By virtue of being children, child spouses are considered to be incapable of giving free and full consent, meaning that child marriages should be considered a violation of human rights and the rights of the child. In Serbia, child marriages occur predominantly among the Roma population.

Child marriage is a phenomenon that affects girls and boys in different ways. Overall, the number of boys in child marriages around the world is significantly lower than that of girls. Girl child spouses are also vulnerable to domestic violence and sexual abuse within relationships that are unequal, and if they become pregnant, often experience complications during pregnancy and childbirth, as their bodies are not ready for childbearing. Upon marrying, both boys and girls often have to leave education to enter the workforce and/or take up domestic responsibilities at home.

Various international treaties, conventions, and programmes for action address child marriage. These include: the 1962 Convention on Consent to Marriage, Minimum Age for Marriage, and Registration of Marriages; the Convention on the Elimination of All Forms of Discrimination Against Women (1979); the Convention on the Rights of the Child (1989); and the 1995 Beijing Platform for Action (which followed the UN Fourth World Conference on Women). These international instruments cover the abolishment of harmful customs and traditions, violence against the girl child, marriage consent, marriageable age, registration of marriage, and the freedom to choose a spouse.

This fact sheet provides information about the issue of child marriage in Serbia and offers recommendations aimed at addressing the issue. It includes a review of national legislation and the country’s ratification of the various international standards relevant to the issue, analysis of current practices and attitudes towards child marriage, and statistical information about the prevalence of the practice. The methodology for this study involved a review of the existing legal framework and literature related to child marriage in Serbia, and interviews with child spouses and experts working in the fields of children’s and women’s rights.

Child marriage is an appalling violation of human rights and robs girls of their education, health, and long-term prospects. A girl who is married as a child is one whose potential will not be fulfilled. Since many parents and communities also want the very best for their daughters, we must work together and end child marriage.

—Dr. Babatunde
Osotimehin, Executive
Director, UNFPA



Recommendations

- Adopt a standardised definition of a child as a person under 18 years of age in the relevant legislation.
- Consider establishing a code of conduct in the case of child marriages, involving all the relevant institutions: social welfare centres, schools, local healthcare providers, Roma NGOs, and relevant courts. The cooperation of different institutions in cases of domestic violence and trafficking of human beings could serve as a good example of a multisectoral approach.
- Consider establishing training programmes for civil servants and other professionals who either come into contact with child spouses or who are expected to address and challenge the issue proactively.
- Implement appropriate programs to address gender stereotypes and gender inequality.
- Invest in addressing poverty and education especially among marginalised groups.

Roma-specific recommendations

- To the Government of Serbia: Establish monitoring and coordination mechanisms for the implementation of the Strategy for Roma, its Action Plan, and other relevant documents. Apart from line ministries and other relevant institutions, the government should involve all relevant Roma experts from the NGO sector to monitor the implementation of strategic documents.
- Collect more detailed statistical data on child marriages, in order to facilitate the monitoring of developments in this area.
- Conduct education activities on women's and children's human rights, including considering the consequences of child marriage, on a regular basis in Roma settlements. Here, Roma health mediators could be a useful link between the state and the Roma community, to begin raising awareness to combat child marriages.

Legal and national context

The Republic of Serbia is a member state of the United Nations. It has ratified the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social, and Cultural Rights. At the regional level, as a member of the Council of Europe, Serbia has also ratified the European Convention for the Protection of Human Rights and Fundamental Freedoms, the Revised European Social Charter, and the Framework Convention for the Protection of National Minorities.

In its 2007 evaluation of Serbia's report on the implementation of CEDAW, the Committee on the Elimination of Discrimination Against Women expressed concern about discrimination against Roma women, in light of the practice of child marriage, and raised the issue of the lack of reliable statistical data on Roma women.² The Committee recommended the implementation of awareness-raising measures throughout the country targeting the negative impact child marriages have on women's human rights.

Who is a child?

A uniform definition of the term 'child' does not exist within the Serbian legislative framework.³ A definition could be indirectly derived from the Constitution of the Republic of Serbia and the Family Law.⁴ So one could conclude, based on this, that a child is every person under 18 years of age.⁵

“To a great degree, our legislation is not in line with the international standards regarding child protection. There are some laws that have been harmonised; for example, the draft of the new Child Protection Law. This is why we have had such a big public debate about this draft law.” (Representative of a government institution)

Different laws use different terms in regard to children. The Constitution applies the term ‘child’ to all persons who have not attained the age of majority. The Family Law uses the term ‘child’ without clear definition, referring to persons under 18 years of age.⁶ It also disaggregates children to ‘younger juveniles’ (children under 14 years of age) and ‘older juveniles’ (children aged 14–18).

The Criminal Code defines a ‘minor’ as a person 14–18 years of age, and a ‘child’ as a person under 14 years of age.⁷ In addition, the Criminal Code uses the broad, yet undefined, term ‘youth’. The Law on Juvenile Criminal Offenders and Criminal Law Protection of Juveniles defines a ‘minor’ as a person who, at the time of the crime, was over 14 but under 16 years of age, and an ‘older minor’ as a person who, at the time of the crime, was over 16 but under 18 years of age.⁸

The Law on Health Protection uses the terms ‘child’ and ‘minor’ without a precise definition.⁹

Who can contract a marriage?

According to the Family Law, marriage cannot be contracted by a person under 18 years of age. In addition, the future spouses have to declare their consent before a state registrar. Exceptionally, a court can, in justified cases, allow a minor who has reached 16 years of age to contract a marriage if the person is physically and mentally able to fulfil the rights and duties of matrimonial life.¹⁰ The law also stipulates that marriage is not valid if a spouse agreed to enter it under duress, or out of fear caused by a serious threat.

The Criminal Code of the Republic of Serbia stipulates that an adult living in a common-law marriage with a minor shall be punished by imprisonment for a term of between three months and three years or, if the criminal offence was committed for gain, for a term of between six months and five years.¹¹ Additionally, and rather importantly, the relevant article clarifies that if marriage is then contracted between the two people, criminal prosecution shall not be instituted, and if it has been instituted, shall be suspended. This means that the deterrent effect of the relevant articles in the criminal code is significantly reduced. In most cases, only one of the spouses – the girl – is under 18 years of age. In practice, few people convicted of this charge face imprisonment. During 2011, in the

Republic of Serbia, 123 persons were reported for the criminal offence of common-law marriage with a minor. Fifty-nine of them were convicted, but of these, in 47 cases the sentence was suspended, four persons received unconditional prison sentences, three were sentenced to a fine, three to a community order, one was warned, and one was found guilty but freed without punishment.¹² These statistics clearly portray the lenient treatment this criminal offence receives in the criminal justice system.

Family planning and reproductive rights

The Health Care Law and the Health Insurance Law provide for healthcare coverage of certain subpopulations, including women in relation to family planning and pregnancy.¹³ Abortion is legal, and the Law on the Conditions and Procedure for Termination of Pregnancy guarantees the freedom of choice and ensures that expert advice is provided to men and women, in order to help them exercise this freedom without detrimental consequences for their reproductive health.¹⁴

According to the Multiple Indicator Cluster Survey (MICS) conducted in 2010, about 2 per cent of women and 4 per cent of men had experienced sexual relations before reaching 15 years of age.¹⁵ Boys and men (15–24 years old) in rural areas were reported as more likely to have had sex before the age of 15, compared to their peers in urban areas (6 per cent vs. 3 per cent). As for young women in the age group 15–24 years, 4 per cent reported having sex with more than one partner within the last 12 months and 65 per cent had used a condom the last time they had sex.

Adolescent girls are less likely to use contraception than older women, the MICS found. Only about 45 per cent of girls aged 15–19 who were married or in union reported currently using a method of contraception, compared to 61 per cent of 20– to 24-year-olds and 69 per cent of women in the 35–39 age group.¹⁶

The survey found that need for contraception is unmet among 7 per cent of women overall who were married or in union.¹⁷ The contraception needs of 7.2 per cent of women in the age group 15–19 years were unmet. In Roma settlements 10 per cent of women who were married or in union reported an unmet need for contraception.

Child marriages in Serbia

A number of factors influence the incidence of child marriages. These include poverty, protection of girls, family 'honour', and the provision of stability during periods of social instability. The age difference between partners is also believed to contribute to abusive power dynamics.¹⁸

The rate of child marriage among the general population in Serbia is very low. According to the MICS, less than 1 per cent of women aged 20–49 were married before the age of 15, and 8 per cent married before the age of 18. About one in 20 young women aged 15–19 years are currently married or in union (5 per cent). Location appears to be an influential factor: 8 per cent of girls aged 15–19 living in rural areas were recorded as married, compared to 4 per cent in urban areas. Level of education and socio-economic status are also influential factors. Comparing child marriages for women and men aged 15–29 years in Serbia seems to provide evidence that more women than men get married before the age of 8.¹⁹

Prevalence rates of child marriage are much higher, however, among the Roma population of Serbia.

Roma in Serbia

According to the 2002 Census, 108,193 citizens of the Republic of Serbia declared themselves as Roma. However, many surveys indicate that the number of Roma in Serbia is significantly higher; estimates range between 250,000 and 500,000.²⁰

For a significant number of Roma women the cessation of education, reinforced by a lack of employment opportunities, paves the way to child marriage and early childbirth. This situation is reflected in the primary school drop-out rate among girls from Roma settlements. Due to the belief that their daughters need to prepare for marital life and motherhood, Roma parents often withdraw them from school while they are still very young (12–14 years old).

Roma traditionally keep themselves secluded, avoid mixing with others, and contract marriages in an unofficial manner. The aim of Roma marriages is to keep the tradition. When it comes to marriage among Roma – it is forever...
(Representative of a Roma NGO)

According to the MICS, as many as 14 per cent of Roma girls in the 15–19 age group were married before reaching 15 years of age, and one third had their first child before turning 18. Nearly half of young Roma women in this age group are currently married or in union (44 per cent). This proportion varies between the urban (40 per cent) and rural (52 per cent) setting, and is strongly related to the level of education.²¹

By contrast, only 19 per cent of Roma men in the 15–19 age group were currently married or in union. Overall, 24 per cent of women in this age group years are currently married to men five to nine years their senior. A girl's marriage to an older man is correlated to her level of education, type of settlement (urban vs. rural), and socio-economic status. Regarding domestic violence, 27 per cent of Roma men questioned for the MICS agreed that a husband has the right to beat his wife if she neglects the children, 21 per cent if she argues with him, and 20 per cent if she goes out without telling him. Men living in households within the lowest wealth quintile were much more likely to agree with one of these reasons (50 per cent) compared to those in the highest quintile (13 per cent).²²

“I was 16 when I had my first child, 17 when I had my second one, and 22 when I gave birth to the third one. Between the second and third child I had five abortions.” (Roma child spouse)

One third of women in the 15–19 age group had already given birth at the time of the MICS, while 40 per cent had begun childbearing. Four per cent of girls had had a live birth before they reached 15 years of age, and more than one third (37 per cent) of women in the 20–24 age group had had a live birth before they turned 18. Early childbearing was more frequent among women in rural areas than in urban areas and among women who had no education or

who had only completed primary education. Only about 41 per cent of women, married or in union, in the 15–19 age group, were currently using a method of contraception, compared to 59 per cent of those in the 20–24 age group, and 78 per cent of women in the 35–39 age group. From this it can be assumed that adolescent Roma girls are less likely to use contraception than older women.²³

“As the youngest you need to get up early, to take care of everybody, to serve them, to respect them; [you] cannot say a word to them. They can say to you whatever they want and you need to keep your mouth shut. You become a slave.”

(Roma child spouse)

The level of women’s autonomy in the majority of Roma families is restricted in many aspects – in education, employment, family relations, and family planning. Serbian society in general and the Roma community in particular are very patriarchal, and this is reflected in the low, subordinate status of Roma women. Roma women enter the process of biological reproduction very early and are active during the whole period of fertility.²⁴ Young married Roma women face another challenge – domestic violence, not only from their husbands, but also from their in-laws. Roma families are often large, with several generations sharing a communal household.

Many Roma lack identification documents, as they are not registered in official records. This acts as an obstacle to healthcare, as do lack of health insurance, the fact that many Roma families came from Kosovo and do not speak Serbian, and the discriminatory attitudes of healthcare workers.²⁵ Poor understanding of the significance of preventive examinations, and low self-esteem may reduce the level of Roma women’s use of the healthcare system. The reasons are numerous: lack of time, money, and traditional attitudes that a woman must always be on her feet, and that it is a shame to waste time going to the doctor.

Roma women face double or multiple forms of discrimination, and constitute economically the weakest and socially the most helpless layer. Unfortunately, there is little acknowledgement of the direct and indirect discrimination that Roma women face when attempting to find a job. This means that there are no legal mechanisms in place, or action on the part of state institutions, to combat this discrimination.²⁶

“Traditional Balkan patriarchy is just heightened in a Roma family, because woman should be the ‘keeper’ of the Roma national identity.”

(Roma women NGO representative)

In addition, Roma girls face discrimination in relation to education. On one side the school system is discriminatory, and there are no measures to ensure the inclusion of Roma, while on the other, the family seldom supports schooling of female children. The tradition of remaining a virgin until marriage, reinforced by the practice of virginity testing, is still very common among Roma families in Serbia, and is also closely linked to the high school-dropout rates of Roma girls in puberty. Their families fear that social activities at school could lead to girls losing their virginity, which would inflict shame upon the girl and her family.

“The custom of arranged marriage comes naturally to us. It is common for parents to arrange marriages. They sell you. They take money for you, and those are not small amounts. The price is around 7,000 to 8,000 euros. They sell you like a cow.”

(Roma child spouse)

As a rule, marriages in the Roma community are contracted in an unofficial manner, are not registered, and are not reflected in the official statistics. This is the case whether the marriage is arranged and involves the payment of bride price, or whether the young couple decides to marry without parental consent.

Responses to child marriage

Strategy for the Improvement of the Status of Roma

As one of the results of the Decade of Roma Inclusion, in 2009, Serbia adopted the Strategy for the Improvement of the Status of Roma.²⁷ This strategy contains a separate chapter on the position of women, including recommendations targeted at the practice of child marriage.²⁸ The 2009-2011 National Action Plan (NAP), stemming from this strategy, specified measures related to this problem in the form of youth counselling centres and education of the Roma population about common-law stipulations and respect for the law. The 2012-2013 Draft NAP also aims to target early and arranged marriages through: continued education of civil servants and other employees who come into contact with the Roma population; awareness-raising on Roma women's issues; and education of Roma school assistants on human rights and gender equality.²⁹

Roma Health Mediators

Since 2008, the Ministry of Health has employed 75 Roma women as health mediators, in 59 municipalities. All the mediators live in Roma settlements, have children themselves, and have completed primary school. Their task is to liaise between the Roma community and health institutions. The Roma health mediators are contributing to the improvement of Roma women's health and with their assistance 5,387 Roma women have visited a gynaecologist; 4,924 have undergone a systematic health exam; 2,297 pregnant women and new mothers have been examined, and 693 mammography examinations have been performed. The health mediators are also active in providing assistance in social care, humanitarian aid, and education.³⁰ Through these activities, the Ministry of Health has compiled a database of 120,000 persons in 80 locations across Serbia.

Key points (general)

The problem of child marriages has been recognised by the state, but only as a general issue and in the legislation pertaining to family planning and child protection. Concrete measures for addressing child marriages have not been established.

Child marriages negatively affect women's rights, especially in regard to schooling, employment, domestic violence, and poverty.

Even though policymakers and institutions have been made aware of the problem of child marriages, the on-the-ground measures fall short of making a tangible difference.

Sexual and reproductive health education is not a part of school curricula. Consequently, adolescents rely on the Internet, magazines, peers, and media. These sources of information are not always reliable and adolescents do not always understand the information provided. NGOs are usually the only source of reliable information about sexual and reproductive health for young people.

Key points (Roma-specific)

The problem of child marriages has been recognised in the Strategy for the Improvement of the Status of Roma and the National Action Plan(s), but the implementation lags behind schedule due to a lack of institutional support.

According to experts interviewed for this research, school dropout rates amongst Roma girls have been increasing due to two main factors:

- Patriarchal attitudes in Roma families, which prioritise preparing young girls for marriage and motherhood
- A discriminatory education system that fails to provide tailored support to Roma girls

Roma women are discriminated against within the Roma population. The position of Roma women and children is not a priority, even for the Roma National Council or the Roma Coordination Council.

Quotes (general)

The state has to provide clear legislative guidelines, in order to [make it clear] that early marriages are unacceptable. The state has to be more concrete in regulations and prioritise their implementation, as well as establish mechanisms for dealing with this issue. There are no accurate data that would enable us to observe the real situation. (Representative of a government institution)

When you get married so early, you miss the fun and freedom, your parents, you miss your friends. You get a baby very soon, and you immediately become a 'slave' in the house. (Child spouse)

The essence of this problem is the fact that early marriages are not in focus. Everybody is aware of the problem, but nobody is dealing with it. (Representative of a government institution)

It is usual for [young people] to have sex and to use some contraceptive method. Especially because most of the girls aged 13 or 14 look much older. (Child spouse)

Quotes (Roma-specific)

The laws [relevant to] early marriages are not being implemented. The state does not pay enough attention to this issue. NGOs are working on this problem, but there is no connection between the work of NGOs and the state. The legal framework, like the Family Law provides only general measures. It does not prohibit anything. For example, this law is focused on what is allowed, and not a single article of that law refers explicitly to early marriages. (Representative of a government institution)

I remember that only once or twice I went pregnant to school. ... I was embarrassed because I was young and pregnant and I was expecting a baby. My school friends looked at me with bewilderment because of that. (Child spouse)

Strategically, the state would need to take better care of this issue [child marriage]. Even when Roma issues are discussed in the Council, which consists of 25 members from different institutions and NGOs, the position of Roma women and children is never discussed. We discuss employment, housing, and education issues, and very rarely we start a discussion on women and children. (Representative of a government institution)

Data overview

Size of population (2011 est.):	7,276,195 ³¹
Life expectancy at birth (2010 est.):	74 ³²
Population under age 15 (2010):	15.1% ³³
Population below national income poverty line (2010):	9.2% ³⁴
Unemployment rate (2011):	23.7% ³⁵
Youth literacy rate for ages 15-24 (2010 est.):	99.3% ³⁶
Youth literacy ratio (female rate as a percentage of the male rate, ages 15-24) (2010 est.):	100% ³⁷
Health expenditure per capita per year (2010):	US \$546 ³⁸
Main ethnic groups (2002):	Serbs (82.9%), Hungarians (3.9%), Bosniaks (1.8%), Roma (1.4%), Yugoslavs (1.1%), Montenegrins (0.9%) ³⁹
Main religions (2002):	Serbian Orthodox (85%), Catholic (5.5%), Muslim (3.2%), Protestant (1.1%) ⁴⁰
Main languages (2002):	Serbian (official) ⁴¹
Average age at first marriage (2011):	30.5 (males); 27.4 (females) ⁴²

Child marriage statistics

According to the available statistical data for 2011 girls/women in the age group 16-19 years are approximately eight times more likely to contract a marriage compared to boys/men in the same age group. The available statistical data on the number of deaths caused by pregnancy, childbirth, and puerperium and the number of stillbirths are not disaggregated by age group.⁴³ Official data from the Public Health Institute places the total number of abortions performed in 2010 at 22,092, of which 4.4 per cent were performed on women under 20.⁴⁴ However, given that the official data does not include abortions performed in private clinics, this figure is far from reliable. Certain estimates place the real number of abortions in the neighbourhood of 150,000 per year.⁴⁵

In 2008 the age-specific fertility rate in Serbia, for girls under 15 years of age, was 0.3 (40 per cent higher than the EU rate for the same age group). The age-specific fertility rate for girls/women in the age group 15-19 years (2008) was 22 (30 per cent higher than the EU rate for the same age group.⁴⁶ The MICS survey, held in 2010, places the age-specific birth rate for the latter age group at 24 (7 and 47 in urban and rural areas, respectively).⁴⁷

One third of women in the age group 15–19 years had already given birth at the time of the MICS, while 40 per cent had begun childbearing. Four per cent of girls had had a live birth before they reached 15 years of age, and more than one third (37 per cent) of women in the age group 20–24 years had had a live birth before they turned 18. Early childbearing was more frequent among women in rural areas than in urban areas and among women who had no education or who had only completed primary education. Only about 41 per cent of women, married or in union, in the age group 15–19 years, were currently using a method of contraception, compared to 59 per cent of those in the age group 20–24 years, and 78 per cent of women in the age group 35–39 years. From this it can be assumed that adolescent Roma girls are less likely to use contraception than older women.⁴⁸

Table 1. Total number of marriages by bride's and groom's age (2011)⁴⁹

Total number of marriages in 2011	Bride's age (years)		Groom's age (years)	
	16-19		16-19	
35,808	2,104 (5.87%)		260 (0.73%)	

Table 2. Marriages by age and gender (2010)ⁱ

	Percentage of respondents married before 15 years of age	Percentage married before 18 years of age	Percentage of the age group 15-19 years currently married/in union
Women	0.8	7.7	5.2
Men	0.1	0.6	1.2

i UNICEF (2011b), *op. cit.*

Table 3. Percentage of men and women of the age group 15–19 years currently married/in union, by residence⁵⁰

Residence	Percentage of men 15-19 years married/in union	Percentage of women 15-19 years married/in union
Urban	0.4	3.7
Rural	2.0	7.5
Total	1.2	5.2

Table 4. Percentage of men and women of the age group 15–19 years currently married/in union, by education⁵¹

Education	Percentage of men 15-19 years married/in union	Percentage of women 15-19 years married/in union
Primary	(*) ⁵²	39.6
Secondary	1.2	1.7
Higher	(0.0) ⁵³	(4.4)
Total	1.2	5.2

Table 5. Percentage of men and women who were first married/in union before age 18 and those between the ages of 15 and 19 currently married/in union, by wealth quintile⁵⁴

Wealth quintile	Percentage of men married before age 18	Percentage of women married before age 18	Percentage of men 15-19 years married/in union	Percentage of women 15-19 years married/in union
Lowest	2.8	20.9	4.5	16.4
Second	0.7	12.2	1.8	5.0
Middle	0.2	6.6	0.2	4.6
Fourth	0.2	3.3	0.2	2.2
Highest	0	1.4	0.0	2.1
Total	0.6	7.7	1.2	5.2

Table 6. Live births by mother's age in 2011⁵⁵

Total number of live births in 2011	Mother's age (years)	
	Under 15	15-19
65,598	48 (0.07%)	3,748 (5.71%)

In sum, this survey revealed that child marriages are several times more likely to occur: among women than men; in rural environments; and among people who have completed only primary school and those in the lowest (2.8 per cent for men, 20.9 per cent for women) and second (0.7 per cent for men, 12.2 per cent for women) wealth quintile.

Notes and references

- 1 A child is 'every human being below the age of 18 years unless under the law applicable to the child, majority is attained earlier'. United Nations Convention on the Rights of the Child (1989), available at: <http://www2.ohchr.org/english/law/crc.htm> (accessed 29 May 2012).
- 2 Recommendations number 35 and 36. Concluding Observations of the Committee on the Elimination of Discrimination Against Women: Serbia (2007), available at: http://www.bayefsky.com/docs.php/area/conclobs/treaty/cedaw/opt/0/state/100004/node/3/filename/serbia_r4_cedaw_38 (accessed 15 July 2012).
- 3 UNICEF (2011a) 'Analiza zakonodavstva Republike Srbije sa aspekta prava deteta' [Analyses of legal framework related to children's rights], UNICEF, Belgrade, available at: [http://www.unicef.org/serbia/Analiza_zakonodavstva_RS_9.2.11\(4\).pdf](http://www.unicef.org/serbia/Analiza_zakonodavstva_RS_9.2.11(4).pdf) (accessed 13 July 2012).
- 4 Ustav Republike Srbije (Constitution of the Republic of Serbia) (2006), available at: http://www.parlament.gov.rs/upload/documents/Ustav_Srbije_pdf.pdf (accessed 15 July 2012). Porodinski zakon (Family Law) (2005), Article 11, p.3, retrieved from: <http://www.parlament.gov.rs/akti/doneti-zakoni/doneti-zakoni.1033.html> (accessed 15 July 2012).
- 5 The New Law on Child Protection has been drafted by the relevant experts and the Ombudsman for children, but the elections held in Serbia in May 2012 delayed the adoption of the law. It is expected that the new law will be adopted by the end of 2012.
- 6 Porodinski zakon (Family Law).
- 7 Krivični zakonik [Criminal Code] (2009), retrieved from: <http://www.mpravde.gov.rs/cr/articles/zakonodavna-aktivnost/pozitivno-zakonodavstvo/krivicna-materija> (accessed 28 July 2012).
- 8 Zakon o maloletnim učinocima krivicnih dela i krivicnopravnoj zastiti maloletnih lica [The Law on Juvenile Criminal Offenders and Criminal Law Protection of Juveniles] (2005), available at: <http://www.mup.gov.rs/cms/resursi.nsf/ZAKONOMALOETNIMIZVRSIIOCIMA-lat.pdf> (accessed 28 July 2012).
- 9 Zakon o zdravstvenoj zastiti [Health Care Law] (2005), available at: http://www.zdravlje.gov.rs/tmpmz-admin/downloads/zakoni1/zakon_zdravsvena_zasita.pdf (accessed 28 July 2012).
- 10 These cases are not defined in the law.
- 11 Krivični zakonik [Criminal Code].
- 12 Statistical Office of the Republic of Serbia (2012a) Saopštenje: 'Statistika pravosuđa "Punoletni učinoci krivicnih dela u Republici Srbiji, 2011"' [Press release: 'The Justice Statistics "Adult Perpetrators of Criminal Acts in the Republic of Serbia, 2011"'], available at: <http://webrzs.stat.gov.rs/WebSite/repository/documents/00/00/73/95/sk12122011.pdf> (accessed 30 July 2012).
- 13 Zakon o zdravstvenoj zastiti [Health Care Law], Article 11, p.3. Zakon o zdravstvenom osiguranju [Health Insurance Law] (2011), Article 36, p.14, retrieved from: http://www.rfzo.rs/download/Zakon_o_zdrav_osiguranju.pdf (accessed 30 July 2012).
- 14 Zakon o uslovima i postupku za prekid trudnoce [Law on the Conditions and Procedure for Termination of Pregnancy] (2008), Article 2, p.1, retrieved from: http://www.zenskiforum.com/index2.php?option=com_docman&task=doc_view&gid=22&Itemid=56 (accessed 28 July 2012).
- 15 UNICEF (2011b) 'Serbia Multiple Indicator Cluster Survey 2010: Monitoring the Situation of Children and Women', UNICEF, Belgrade, available at: http://www.unicef.org/serbia/MICS4_Report_web.pdf (accessed 13 July 2012). The Multiple Indicator Cluster Survey (MICS) is a nationally representative sample survey of households, women, young men, and children that was carried out in 2010. The survey also encompassed a separate sample of Roma settlements in Serbia. The sample, at the national level, included 6,885 households, while the sample for Roma settlements included 1,815 Roma households.
- 16 *Ibid.* Data is based on a small number of married women aged 15 to 19 years old (25 to 49 cases).
- 17 Unmet need for contraception refers to women of reproductive age who are not using any method of contraception, but who wish to postpone the next birth or who wish to stop childbearing altogether.
- 18 UNICEF (2011b), *op. cit.*
- 19 UNICEF (2011b), *op. cit.*
- 20 New data from 2011 Census will be available on 7 September 2012. According to the expectations of Roma NGOs, data from the Census 2011 will show a significant increase in the Roma population in Serbia, since more than 800 Roma administrators were engaged to conduct the Census in Roma settlements.
- 21 UNICEF (2011b), *op. cit.*
- 22 UNICEF (2011b), *op. cit.*
- 23 UNICEF (2011b), *op. cit.*
- 24 Strategija za unapredjivanje položaja Roma u Republici Srbiji [Strategy for the Improvement of the Status of Roma in the Republic of Serbia] (2009), Chapter IX, Position of Women, pp.47-51, available at: <http://www.ljudskaprava.gov.rs/propisi/strategije> (accessed 15 July 2012).
- 25 *Ibid.*
- 26 *Ibid.*
- 27 *Ibid.*
- 28 *Ibid.*
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- 46 Eurostat, Demography, Fertility rates by age, available at: <http://epp.eurostat.ec.europa.eu/portal/page/portal/population/data/database> (accessed 25 July 2012). Age-specific fertility rate is the number of live births to women in a specific age group for a specific geographic area (e.g. state) divided by the total population of women in the same age group for the same geographic area (for a calendar year). This number is multiplied by 1,000 to give a rate per 1,000 women in the same age group.
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- 48 UNICEF (2011b), *op. cit.*
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Key messages

When a girl delays marriage, everyone benefits. A girl who marries later is more likely to stay in school, work, and reinvest her income into her family. Crucially, a girl who marries later is more empowered to choose whether, when, and how many children to have. When investments in girls are made, everyone benefits: their families, communities, and most importantly, the girls themselves.

There is a huge cost to inaction on child marriage. It is time for policy-makers, parliamentarians, communities, families, and young people to address this issue head on. Let's deliver a world where every pregnancy is wanted, every birth is safe, and every young person's potential is fulfilled. Let girls be girls.

Child marriage violates girls' rights, denies them of their childhood, disrupts their education, jeopardises their health, and limits their opportunities. No cultural, religious, or economic rationale for child marriage can possibly justify the damage these marriages do to young girls and their potential. A girl should have the right to choose whom she marries and when. Parents want the best for their children, and need to support their girls' choices and decisions to marry.

UNFPA is working with governments and partners at all levels of society to deliver comprehensive programmes addressing the needs of vulnerable and married girls, and providing access to livelihoods, social support and health programmes, including sexual and reproductive health. The ultimate aim is to end child marriage in this generation and to shift cultural attitudes to protect girls' rights.

What must be done to break the silence on child marriage?

Bring greater attention to the situations faced by married girls and girls at risk of child marriage, and advocate strongly for their rights. Child marriage is not good for girls or development. The world cannot afford to see the rights, health, and potential of thousands of girls being squandered each day.

Promote investments that build up adolescent girls' capabilities and skills, especially education. Girls'

education, particularly post-primary and secondary, is the single most important factor associated with age at marriage. Girls especially need social support and access to programmes that provide life skills, literacy, livelihoods, and sexual and reproductive health information and services, such as family planning and lifesaving maternal health services.

Invest in adolescent girls!

Investments should provide platforms for vulnerable girls to develop life skills and critical health knowledge, obtain access to social services including sexual and reproductive health and HIV prevention, gain vocational and employable skills for work, and have access to friends and mentors.

Married girls need special targeted strategies that provide access to education, life skills, health including SRH and HIV prevention, and opportunities to participate fully in society. Maternal health programmes need to be reoriented with dedicated outreach for the youngest, first-time mothers, to enable them to use antenatal, essential and emergency obstetric care, and post-delivery services.

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